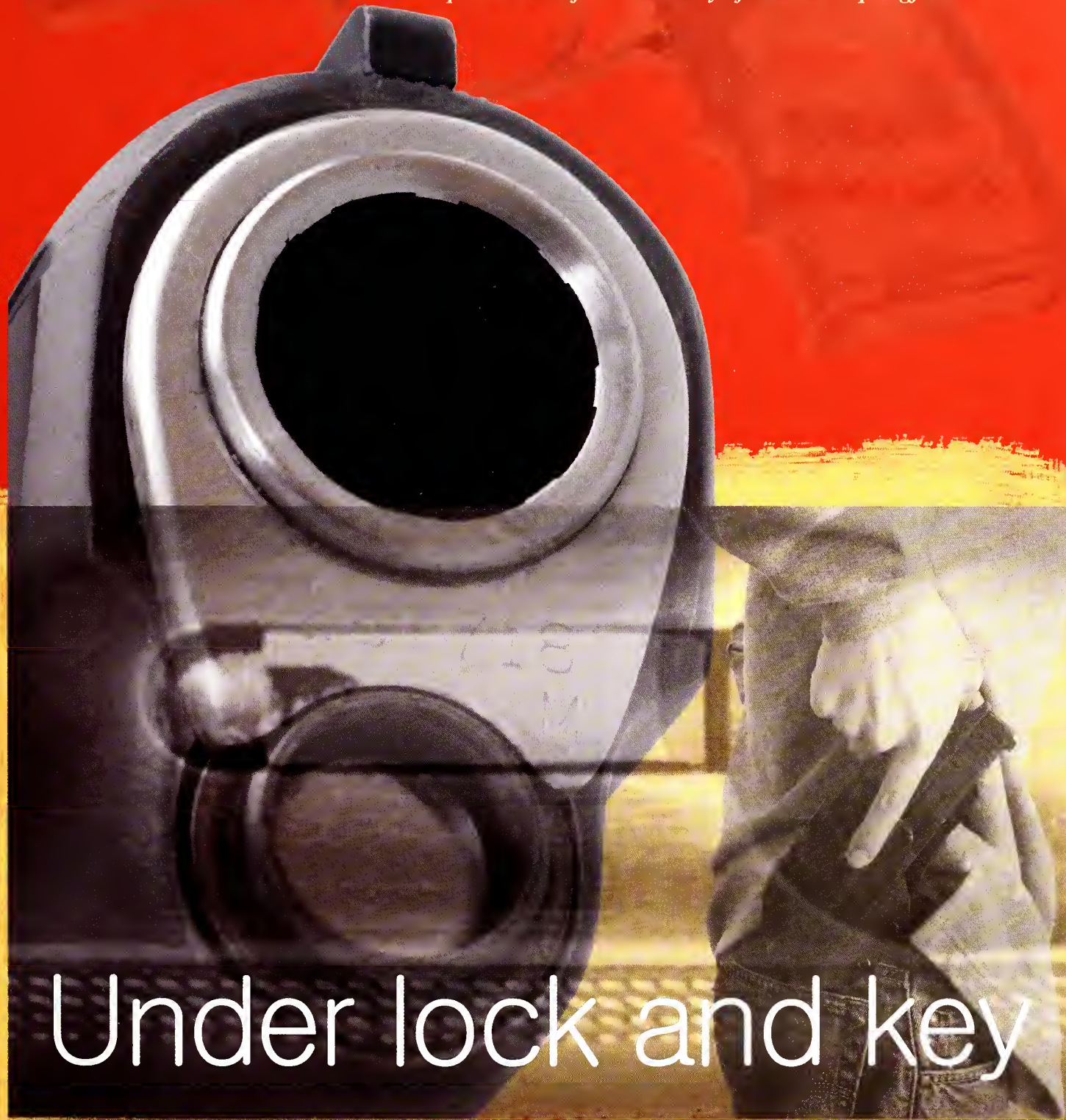


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Illinois Issues

A publication of the University of Illinois at Springfield



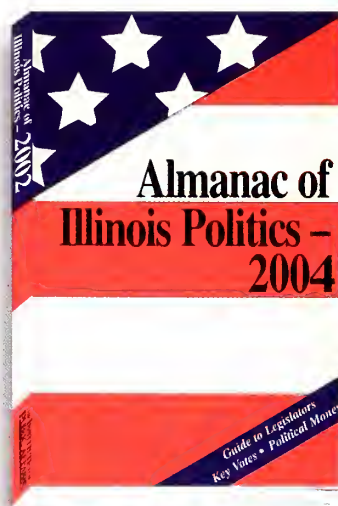
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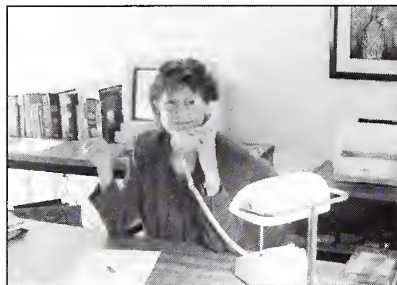
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Peggy Boyer Long



This magazine has followed information technology's public evolution from the start

by Peggy Boyer Long

In late 1982, Carolyn Marvin, a professor in the Annenberg School for Communication at the University of Pennsylvania, was working on her book about how people of the 19th century imagined the communications of the future. But when *Illinois Issues* invited her that fall to write an essay for our pages, she responded with what is still one of the more thought-provoking analyses of the communications technology that emerged in this era.

"Our public fairy tales about computers are plentiful but shallow, perhaps because they are very new," she wrote. "They tell us the contents of our wishes but do not present the framework of wish-making and the problems it presents."

Revisiting Marvin's essay is especially appropriate as *Illinois Issues* prepares to enter a fourth decade of publishing in-depth reporting and analysis on government and politics. A lot has happened since we went to press with our first magazine in January 1975. In the final months of this year, beginning with this edition, we'll highlight a few of the issues Illinoisans faced over the past three decades. But throughout next year, we plan to explore some of the challenges they are likely to face over the next three decades. Carolyn Marvin's essay is a good place to start precisely because it

"By now we know that some of the fondest legacies of the Enlightenment, such as the belief that the world is fully knowable and that nothing more than rational knowledge is necessary to make us free, are ambiguous ones, but it is still difficult for us to admit that the vision of the Industrial Revolution was naive. In many ways we still believe that utopia is available to everyone who has the right equipment."

Carolyn Marvin, Illinois Issues, September 1982

explores terrain that traverses past and future.

As with a handful of transformative shifts — the rise of the global economy is another — that came into public view during the life of this magazine, the rapid evolution in information technologies is still under way. The full significance of this advance is as unknowable, as difficult to frame, as it was when Marvin wrote

her essay. We can say it has begun to reshape human experience; we can't yet say how.

In 1982, the magazine was beginning to publish articles on the promise in the "computer revolution" just then capturing the imagination of citizens and policy-makers. In the years since, we wrote about the potential benefits to educators, and the capacity to wire together urban and rural communities. We explored the relationship of online to printed texts, and the potential impact on reading itself. But in the past few years, we have begun to examine some of the unintended consequences of computers and their capacity for virtual life, the dangers they can pose to personal identity and global security.

Marvin would be on familiar ground. She likened the attraction of the new technology to the fairy tale of three wishes. When we look into the computer monitor, we wish, she wrote, for the freedom to choose our destiny, the capacity to nourish democracy and the resources to liberate the spirit. But tools are never neutral; they always alter power relations, often in unexpected ways.

"The consequences of the wishes always surprise the wisher and always outstrip his efforts to negotiate an advantageous bargain with destiny. Outdone as often by his ignorance as by

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vanity and greed, he often must use his final wish to undo the unforeseen consequences of earlier ones.

"One of the lessons of this tale is that we can bargain with fewer aspects of destiny than we think. We are never completely in control of the future."

Unintended consequence, if not a framework of wish-making, was the key theme of a policy summit on issues in cyberspace this past summer at the University of Illinois at Springfield. The summit, hosted by the Center for State Policy and Leadership, the institutional home of *Illinois Issues*, took a long look at some of the bargains we've negotiated for our increased ability to find and transmit information. And some of the ways government has been outdone.

At the top of the list is unsolicited mass e-mails. If our friends can find us more readily in this era of electronic communication, so can strangers, some who want to sell us things, and some who mean us harm. This would seem a small trade-off for a larger gain. Yet, even at its most benign, electronic junk mail clogs personal computers with unwanted messages from scam artists and costs us in lost time and productivity.

It's known in the trade as spam. Philosopher James Moor calls it "a kind of tragedy of the commons." Moor, a professor at Dartmouth College, is the editor of *Minds and Machines* and president of the International Society for Ethics and Information Technology. Consequences change, he advised those who attended the summit, and so will our responses.

Other participants were not sanguine, including Matthew Prince, who helped draft portions of the federal law designed to reduce spam. Prince, who teaches at John Marshall Law School, is the CEO and co-founder of Unspam, LLC, a Chicago-based company that advises business and government on ways to fight unwanted online messages.

Prince offered a cautionary tale. Since 1997, some three dozen states have approved essentially the same anti-spam provisions. They include requirements to label subject lines, such as "ADV:" for advertising, so recipients can delete them without wasting time. Illinois' labeling law was signed last year. But Prince says

since 1997 the volume of spam has only increased. Compliance with ad labeling is on the order of 5 percent. Yet state governments are approving the same law over and over again and expecting different results. "It's the definition of insanity, right?"

Prince suggested states need to draw bright lines on what is and is not allowed, and impose costs for breaking those laws on the people who hire the spammers. He points to Washington state, which created a registry of e-mail addresses, essentially putting spammers on notice that if they send messages to those addresses, they will be subject to Washington's law. And he called for stronger enforcement by the states and the feds.

In fact, as we were going to press, *The New York Times* reported that federal authorities have arrested or charged dozens of people with crimes related to junk e-mail and computer fraud.

Technology offers a solution, as well. David Nicol told summit participants a secure system can be built, but won't be because citizens won't allow it. Nicol, a professor of electrical and computer engineering at the University of Illinois at Urbana-Champaign, once headed the Institute for Security Technology Studies at Dartmouth. There are, he said, ethical tensions between security and privacy. It's not a technical problem, he said. "It's a political problem. It's a legal problem. It's a societal problem."

Marvin, too, reminded us that new technologies don't release us from the obligation to make "responsible value choices."

"New information technologies," she wrote, "will be used by the powerful to increase their power unless somebody makes other plans. And just as freedom, security and pleasure have never been easily won in the history of the world, just as that battle is never fully won and must be continually refought, so it is not going to be easy now. But it is going to be important."

This state's political leaders are likely to continue to debate these issues in the coming years. And this magazine will continue to follow that debate. □

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Illinois Issues

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Volume XXX, No. 9

September 2004



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Illinois Issues is published by Center Publications
Center for State Policy and Leadership
<http://cspl.uis.edu>

Credits: The photographs on this month's cover were taken by Oleg Volk of www.a-human-right.com. The cover was designed by Diana L.C. Nelson.

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Subscription questions: *Illinois Issues*, Subscription Division, P.O. Box 2795, Springfield, IL 62708-2795 or call 1-800-508-0266. Hours are 8:00 a.m. - 4:30 p.m. Central Time, Monday-Friday (except holidays). **Subscriptions:** \$39.95 one year/ \$72 two years/ \$105 three years, student rate is \$20 a year. Individual copy is \$3.95. Back issue is \$5. *Illinois Issues* is indexed in the PAIS Bulletin and is available electronically on our home page: <http://illinoisissues.uis.edu>. *Illinois Issues* (ISSN 0738-9663) is published monthly, except during the summer when July and August are combined. Periodical postage paid at Springfield, IL, and additional mailing offices.
Postmaster: Send address changes to *Illinois Issues*, Subscription Division, P.O. Box 19243, Springfield, IL 62794-9243.
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Patrick J. Guinane



The gun-control stalemate persists in Springfield though Democrats call the shots

by Pat Guinane

When it comes to gun control, the 93rd General Assembly will be remembered for what it left in the chamber. Nearly two years after voters handed control of Illinois government to Democrats, the state has yet to see any significant new gun-control laws.

The regional and ideological stalemate over that issue persisted, even with Chicago Democrats calling the shots. Historically, gun-control measures have made their way out of the House, and the trend continued during Michael Madigan's 10th term as speaker. A liberal agenda was expected to see new life in the Senate as President James "Pate" Philip, the five-term Republican blamed for blocking everything from gay rights to gun control, gave way to Democrat Emil Jones.

And it wasn't just any Democrat picking up the governor's pen. It was Rod Blagojevich, who championed gun-control efforts as a legislator and congressman and would surely sign such measures as soon as they hit his desk.

They never arrived. And Blagojevich never pressed for delivery.

Instead, when members of the General Assembly return for their fall veto session in November, some will be eager to finalize legislation that effectively erodes local handgun bans. It was one of a handful of bills

When members of the General Assembly return for their fall veto session in November, some will be eager to finalize legislation that effectively erodes local handgun bans.

advanced by gun-rights advocates this spring, while gun-control measures went nowhere.

Most prominent was a push to lower the minimum gun-permit age from 21 to 18 and the so-called "Wilmette bill." That measure was inspired by a resident charged with violating the Chicago suburb's local handgun ban after he shot and wounded a burglar. The legislation would allow homeowners an "affirmative defense," meaning they would get a day in court instead of an automatic municipal fine, if they brandish a handgun in self-defense. It drew overwhelming support in both chambers, but Blagojevich vetoed the bill in August, setting the stage for a November showdown. Ninety House

members voted for the measure back in May. Blagojevich took notice, offering a feisty response.

"I was shocked at the number of votes that proposal received in the House," Blagojevich said at the time. "And so, I would say, get your work done, send it to us, and I'll veto it right away."

For the governor, such tough talk on guns has been sparse. Back in January, Blagojevich told the *Chicago Tribune* he would "enthusiastically" support a lineup of gun-control bills this year, after remaining silent in 2003 while those measures failed in the Senate.

Unlike this year, those gun-control efforts at least saw the light of day during the first year of the 93rd General Assembly. But they didn't see much success. They were pejoratively branded Chicago bills. One even had to be muscled through a friendly committee, simply to provide a litmus test on the Senate floor. Republicans and 10 downstate Democrats soundly defeated the bill, which would have limited Illinoisans to one handgun purchase per month. It was part of a package pushed by Chicago Mayor Richard Daley. His city, which has outlawed handgun ownership for two decades, experienced 598 murders in 2003, and four of every five homicides involved a firearm. Daley also endorsed legislation requiring law enforcement

to fingerprint and photograph anyone who applies for a gun permit in Illinois. It failed in a Senate committee, along with a measure that would have closed the so-called gun-show loophole by requiring buyers to undergo background checks at those events.

The mayor also unsuccessfully pushed for a state ban on semiautomatic assault weapons.

Those measures did not reappear in the second year of the 93rd General Assembly because Democrats were looking ahead to the 94th General Assembly.

"I think the Democrats have a tenuous hold on the majority. We want to keep it, and there are certain, clearly, regional races that are going on where our Democrats are for the NRA. We understand that," says Sen. John Cullerton, who, as chairman of the Senate Judiciary Committee, gets an early look at gun legislation.

The National Rifle Association plays a huge role in regional politics, and this year is no exception. In western Illinois, Sen. John Sullivan has to defend the district he surprisingly captured in 2002, after 22 years of Republican control. In deep southern Illinois, Sen. Gary Forby has to fend off a hard-charging GOP challenge. And in late August Republicans were still deciding whether to challenge Deanna Demuzio, the Carlinville Democrat seeking to retain her late husband's seat. All three senators represent rural areas where hunters and sport shooters do not want to see their Second Amendment rights abridged.

Thom Mannard, executive director of the Illinois Council Against Handgun Violence, says legislative leaders should not have backed off on gun-control bills just because someone like John Sullivan is up for re-election.

"I wouldn't expect him to vote our way," Mannard says. "You should want Sen. Sullivan to be able to vote on an assault weapons bill and vote 'no' against it because that's going to solidify his base among gun owners in his district."

If Sullivan and the rest of the 93rd General Assembly do get to vote on a state assault weapons ban, it will be because of inaction at the federal level

***Gov. Rod Blagojevich
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to gun owners.***

and not a proactive approach on the part of Illinois Democrats.

"I thought what we'd do is wait and see what the federal government does before we call it," Cullerton says of legislation he crafted that would continue the federal ban here in Illinois. The 10-year-old federal ban expires September 13.

Congress is back in session the week before the expiration date, but is not expected to consider the politically charged subject matter ahead of the November election. In Springfield, lawmakers did not consider the state ban this spring despite a record overtime session that lingered until late July. Introduced in late May, Cullerton's legislation would adopt the exact language used in the federal ban, perhaps avoiding a painstaking debate over what makes a weapon an assault weapon.

The 1994 federal ban essentially limits new semiautomatic rifles to 10-round magazines and one of the following options: a pistol grip, a bayonet mount, a collapsible stock or flash suppressor, which limits the amount of light emitted during firing. The law does not limit a weapon's power, says NRA lobbyist Todd Vandermyde, who argues that the ban is more about semantics than safety.

"That's what you're dealing with here. The power of a firearm doesn't come from all those other ancillary things," he says. "These aren't cheap guns. But if they can hang a name on them and

stigmatize them with a name, that's what they do."

President Bill Clinton, a Democrat, signed the federal assault weapons ban a decade ago, when his party controlled both the House and the Senate.

Democratic dominance has not advanced any significant gun-control measures here in Illinois, perhaps because Blagojevich has not led that fight, as Clinton did at the federal level.

The governor may still be smarting from criticism gun-rights groups leveled during his 2002 campaign, when they argued his commitment to gun-control measures meant that, as governor, Blagojevich would be a menace to gun owners. The governor's office did not respond to requests to be interviewed on the subject.

"Am I disappointed that he hasn't pushed? I'm willing to at least see what happens in these next two years," Mannard, head of the state's leading gun-control group, says of Blagojevich. "I certainly thought that, considering the budget situation he came into and all the scandal that preceded him, that it was going to be money issues and ethics issues early on. Hell, if I were advising him, I probably would have told him that's where you concentrate these first couple years."

While the governor has not prodded the legislature into action, Mannard says he finds some encouragement in Blagojevich's public expression of support for a state ban on assault weapons and limits on handgun sales. However, those remarks have not had an effect on the General Assembly.

In Blagojevich's defense, Mannard argues that Mayor Daley has been an ardent advocate of tougher criminal gun laws since he took office in 1989, and his considerable influence has not swayed Springfield.

Perhaps Democratic rule of the Senate simply is not enough when roughly one-third of the Democrats hail from downstate districts. Some say it will take suburban Republican votes to advance gun-control measures.

The November election should go a long way toward testing such theories before the ensuing veto session. □

*Pat Guinane can be reached at
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BRIEFLY



Ag Ant was built by U of I engineers as a thought provoker, to convey the idea that many smaller robots could work together as a group.

NEW AGRICULTURAL AGE Future of farming in the hands of robots

The farm of the future may not need massive sprays of expensive chemicals to control weeds. It might rely, instead, on inexpensive robots roaming up and down rows of corn and beans on search-and-destroy missions.

The Urbana-Champaign campus of the University of Illinois is researching such technology, which could conserve financial and natural resources. UIUC ag engineers would like to develop a demonstration plot designed to give the public a chance to see this future.

Illinois farmers could reap the benefits of the new technology. Instead of heavy, 300-horsepower tractors costing thousands of dollars, they could use small, lightweight robots costing hundreds of dollars to weed and check for disease or pests. With global positioning and computerized technology, they might be able to sit in an air-conditioned kitchen — or corporate office — and oversee an army of robots.

“All operations that are currently performed in the field can be done with robots, preferably of smaller size and lower cost,” says U of I agricultural engineer Tony Grift. “Planting, seedbed preparation,

spraying, cultivation are all possible with smaller robots using GPS [global positioning system] guidance.”

Harvesting is the one agricultural operation that requires large machinery, and some companies are already showing robot prototypes that resemble current equipment. Other companies are offering robotic products that make the leap from industrial robots that paint or weld to outdoor robots that can handle uneven terrain and do specific chores.

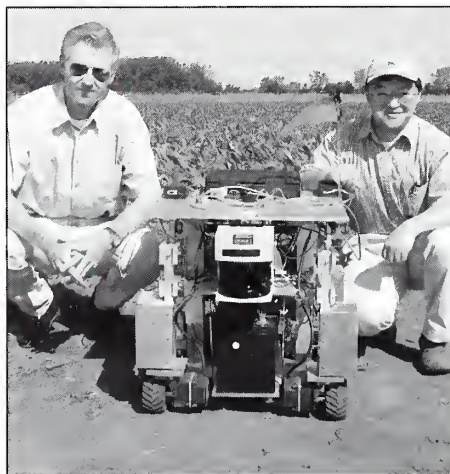
Grift says the university has an opportunity to showcase this developing technology by creating a Farm of the

Future — an idea similar to a House of the Future. Some of those ideas, such as the robotic vacuum cleaner, are now on the market. Because the university’s experimental farms are moving and expanding south of the campus, Grift argues the Farm of the Future could be part of the design in the new location.

“Let’s take 10 to 20 acres, plant corn and soybeans, and put in the robots and every other piece of technology we can think of,” he says. Corporations like John Deere, Case and Caterpillar also could demonstrate their newest innovations. “Then we’ll invite the public in to see it all.”

Grift and his colleagues and students have developed several robots. One that has garnered attention was built as a “brain teaser,” says Grift, but it does represent principles that could become common on a futuristic farm. It’s a foot-long “Ag Ant,” designed to walk through crop rows on mechanical legs. Built for only \$150, the robot ants could work successfully by mimicking insect cooperation.

“We’re thinking about building 10 or more of these robots and making an ecosystem out of them,” says Grift. Comparing the mechanical ants to living ants or bees, he says one robot might find weeds then communicate the location to other robots so they could attack



U of I agricultural engineer Tony Grift and Japanese scholar Yoshisada Nagasaka with AgBo, a high-tech, laser-guided robot.

the weeds together.

For now, though, the engineers are focusing their efforts on two other designs — a \$500 no-frills robot and a \$7,000 high-tech version — that were built from scratch or modified from commercial products to conquer navigation in an outdoor terrain. The first-generation robots are completely autonomous and capable of directing themselves down a corn row, then turning. A second generation of robots will be capable of performing mechanical weeding, microspraying and soil sampling so that nutrients and pesticides are added only where needed.

“Instead of applying all of this spray that might drift everywhere,” says Grift, “a robot could actually spit herbicide or pesticide at the plant with great precision, using a very small amount of chemical.”

Indeed, scientists across the world are developing robots for a variety of agricultural chores. Ag engineers in Denmark have been experimenting with active shape modeling, one application of which is recognition of human faces, to instruct robots to distinguish between crops and weeds, according to the Danish Institute of Agricultural Sciences. The robot scans the ground with a camera and recognizes the shape of plants based on several parameters, such as the size and symmetry of leaves. It then uses global positioning system technology to create a map of the weeds, which are then treated by conventional means.

However, in tests on fields of sugar beets, the Danish researchers found that selectively spraying weeds identified by robots reduces overall herbicide use by 70 percent. Their long-term goal is to avoid herbicides altogether by enabling the robots to pluck the weeds out by the roots.

Grift and his colleagues also see that as an ultimate goal — and as another selling point. “Midwest farmers, particularly those in Illinois,” says Grift, “are very receptive to new technology.” For those fearful of the future, an “agricultural playground,” where the public could interact with the latest corporate and university innovations, might demystify the technology and open new business opportunities.

“That’s why we need a Farm of the Future,” says Grift. “Let’s push the envelope of technology and let people come in and see it.”

Beverley Scobell

Governor can reshape state education board

Gov. Rod Blagojevich asked lawmakers to create a new Department of Education that would answer to him. They responded by giving him more power over appointments to the existing Illinois State Board of Education, the independent agency that administers the state’s elementary and secondary school system.

The legislation allows the governor to name seven members of the nine-member state board. As of late August, though, he hadn’t announced new appointees.

Under the measure, approved in the overtime spring legislative session, future governors will be able to appoint five board members at the beginning of their terms — two Democrats, two Republicans and the chairman — and four others two years later. The new law reduces members’ terms from six years to four.

“I support the reform,” says Ronald Gidwitz, a board member since 1999 and chairman for two terms under former Gov. George Ryan. “I think it’s useful and appropriate that the governor should have the ability to have some significant influence over the policies of the State Board of Education through his appointed members.”

Nevertheless, Gidwitz agreed with the legislature that a Cabinet-level education department could become too politicized. “This [reform legislation] is much more appropriate,” he says. “Immediately, a new governor comes into office and has five out of nine members on the board. The board remains independent, which I think is crucially responsible, and bipartisan.”

Beverley Scobell

Governor can still appoint U of I trustees

Lawmakers declined to return to voters the power to name members of the Board of Trustees of the University of Illinois. But sponsors vow to bring the issue up again this fall.

Under the proposal, sponsored by Urbana Republican state Sen. Rick Winkel, the governor would lose authority to make appointments to the board.

The measure was approved by the House, but it failed in the Senate.

Some senators voting against the proposal objected on technical grounds, arguing voters should choose the trustees from regions or districts. Winkel’s measure provided for trustee candidates to be selected at state party nominating conventions, then elected statewide.

Winkel wrote in an e-mail to the magazine that he is redrafting the legislation.

Trustees were elected from 1888 to 1996. But former Gov. Jim Edgar successfully argued that voters knew little about the candidates and that the board should be appointed by the governor, as are the members of other state university boards.

“Basically, the concept of an appointed board is sound,” says Kent Redfield, a political scientist at the University of Illinois at Springfield. In theory, high-profile appointees who would not run in an election would agree to serve and would raise the university’s standing with external constituencies and help with fundraising. “In reality, under the old process, the U of I Alumni Association worked with the parties to get candidates who were alumni and generally supportive of the university,” he says. However, experience with Gov. Ryan’s and Gov. Blagojevich’s appointments shows that “the politics has moved from the election of members to the appointment process with board members having stronger allegiances to the governor in power than to the university,” Redfield says.

Winkel says he regrets his initial support for that move. “The biggest mistake I ever made as a legislator was to support the change in the law for the appointment of the Board of Trustees. Gov. Blagojevich has treated the University Board of Trustees as if they were nothing more than an agency. The trustees have lost their independence and they no longer represent their traditional constituents throughout Illinois.”

Beverley Scobell

GLIMPSE OF RURAL LIFE

19th century Buck farm preserved

Emma Buck lived for more than a century on her family's Monroe County farm, which her great-grandparents began homesteading in 1838. When she died in June, she left it pretty much the way it had been handed down to her, with horse-drawn plows and planters in the barn, stone-sharpened tools in the sheds and handmade furniture in the house.

But with no close relatives to continue caring for the homestead, she left it to the Monroe County Heritage Foundation. Those entrusted with this pre-Civil War farm hope to make it a living museum dedicated to yeoman farmer traditions, including a seed bank of nonhybridized plants.

"The last improvements were made to the farmstead in 1923," says Annie Rieken, head of the foundation, referring to the enclosure built around the smokehouse so that butchering kettles would be covered in the winter.

"What you first notice as you enter the farmstead is its organic nature," she says. The fences are all split rail or planks. The barns and outbuildings, which include a milkhouse near the well, a smokehouse, a butchering shed, a blacksmith shop, a corn crib and a threshing barn, encircle the four-room cabin and protect it from the north wind. Though the family reluctantly agreed to electrify the farm in 1957, Rieken calls it the *Green Acres* type of wiring. "If you want to use the microwave, you unplug the freezer."

There is no running water, interior plumbing or furnace. Emma drew her water from the well and used the privy or her chamberpot. Rieken, a former nurse, replaced an outdated and dangerous oil burning stove in the living area with electric heaters. The kitchen has a wood stove, but there is no connecting door to the rest of the house. "You go outside to go into the kitchen," says Rieken. "Emma slept with her clothes on between down-filled feather beds, and so did I."

Walking through the house and barns is like walking through rooms of an antique shop. But these were the tools of Emma's everyday life for many years: milk pails and water buckets; butter churns and butter



Photograph courtesy of Monroe County Heritage Foundation

Emma Buck walking in her garden, part of the farm that was homesteaded by her family in 1838

molds; large kettles for making apple butter or rendering lard; kerosene lamps and older whale oil lamps; crocks of all kinds used for preserving food; horse-drawn buggies and early threshing machines.

"The farm implements and household furnishings that Emma Buck used throughout her life have individual value," says Christopher Stratton, a research historian with Springfield-based Fever River Research and a foundation member, "but the real value is in the collection as a whole."

Emma and her younger sister Anna, who died in 1992, spent their lives on the farm built by their German immigrant forebears, Christin and Christina Henke. The sisters worked the farm with their father Fred until his death in 1966 at age 96. Tractors were never used by the family. They used horses to plant and harvest the crops until they rented the fields to neighbors in the early 1960s.

"The farm tells the story of the immigrant experience," Rieken says. "Emma kept letters from relatives and friends in Germany, from the 1840s to the 1920s, that tell the story of their experiences," which include crossing the ocean in the dark bottoms of ships and coping with the changing attitudes of people in this country during World War I.

But a chief goal in preserving the Henke-Buck farm is to return to planting traditional rotated crops — corn, oats, wheat and alfalfa — that predate commercial hybridization. "There are no domestic seed banks in the Midwest," says Rieken. "It is one way the farm can pay for itself."

She says the foundation needs financial support from the preservation community to secure and preserve the farm, but it probably won't become a state historic site even if the state were to have the money to invest in it. "It is a fragile environment, and we have to tread lightly," she says. Too many visitors could work against the authenticity the foundation is trying to keep intact. But foundation members hope to be able to open the farm to the public at least a couple of times a year for demonstrations of pioneer planting and threshing. They are looking for old barns they can move to the property to use as visitor and interpretive centers.

However, plans are on hold until probate of the estate is completed. The farm is still occupied by caretakers who watch over the property, says Stratton, but fences are in need of repair and other preservation work needs to be done to welcome visitors.

The Landmarks Preservation Council of Illinois placed the Buck farm on its list of Ten Most Endangered Historic Places in 1998. James Peters, director of preservation planning for the council, says a year earlier the nonprofit group had provided a grant to help stabilize some of the outbuildings. Conservators also restored a rare outdoor baking oven, using sand and mud from the nearby Mississippi River.

"It is a rare, unique historic site," says Peters.

The homestead is open by appointment. The foundation can be reached at 618-939-8194.

Beverley Scobell

ROAD DEBRIS

Group promotes safety

Known in Illinois as "lane lizards," shredded truck tires account for a large part of the highway debris motorists strive to avoid. And for good reason. The tire remnants, along with other debris, can trigger deadly crashes.

One of Illinois' more notorious truck debris tragedies involved the 1994 deaths of six members of the Scott Willis family, which sparked the commercial licenses-for-bribes investigation that rocked the administration of former Gov. George Ryan. Perhaps the most famous road debris victim was film director Alan J. Pakula (*All the President's Men*), who was killed in New York in 1998 when a piece of metal penetrated his windshield and struck him in the head. There are more recent cases, too. This summer, road debris caused the deaths of at least three children in New York, as well as a woman in Missouri.

A new study conducted by the AAA Foundation for Traffic Safety estimates that vehicle-related road debris causes 25,000 crashes nationwide each year, and almost 100 deaths. The group examined several national and state crash databases and conducted its own studies to determine the scope of the problem. Though the report shows that road debris is the direct cause of less than 1 percent of all crashes, "some 2 percent of freeway incidents precipitate secondary crashes." More than three-quarters of those crashes happen when drivers lose control while trying to avoid the debris.

Statistics from one 1998 study of Chicago freeway traffic were included in the report, showing a high debris-caused crash rate of 5 percent, or 5,000 incidents.

Statewide statistics from Illinois and 19 other states were not included, but the Illinois Department of Transportation does track that information, says department spokesman Matt Vanover. From July 2000 through June 2003, there were five fatalities attributed to road debris. That number is similar to other states detailed in the AAA Foundation report. On a yearly average during that time, road debris in Illinois caused 466 crashes and injured 140 motorists. Of those crashes, an average of 357 involved property damage. In addition, road patrol and clean-up costs keep rising, from nearly \$11 million in 2000 to more than \$15 million over the past year.

J. Peter Kissinger, president and CEO of the AAA Foundation, says he talks routinely "about the larger problem of complacency, which certainly applies to road debris." Kissinger says the study has increased awareness. So has the media. CBS News reported on a young Seattle woman whose face was mangled by wood that pierced her windshield after a piece of furniture fell off a trailer. She was blinded and suffered brain damage.

In general, Kissinger says, motorists tend to underestimate the risks, "like driving with an unsecured or improperly secured load, or driving too closely behind a truck with a suspicious looking load."

More to the point, the AAA Foundation report encourages states to review their laws covering vehicle loads. In Illinois, for instance, a truck driver can be fined a maximum of \$250 for dropping garbage on a highway from an unsecured load, while a motorist can be fined up to \$1,500 for throwing a gum wrapper out the window.

Bob Ladendorff

QUOTABLE

“We’ve turned our senior citizens into coyotes. They’re running over to Canada to get drugs.”

U.S. Rep. Rahm Emanuel, a Chicago Democrat, as quoted in the Chicago Sun-Times during Gov. Rod Blagojevich's announcement that he will allow consumers to buy prescription drugs through state-approved wholesalers in Canada, England and Ireland. Illinois is the first state to look to Europe for drug savings. The federal Food and Drug Administration has opposed importation, citing safety concerns.

Register today for the Conference on Illinois History October 28-29 in Springfield

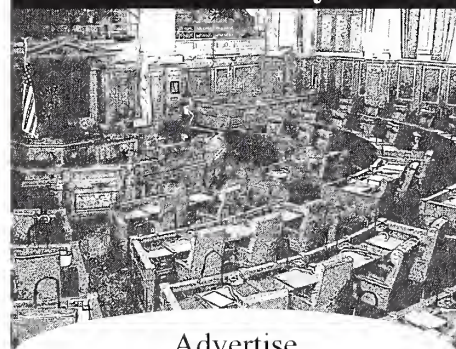
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Governor's action

Lawmakers finally left the Capitol in late July, after budget negotiations ended eight weeks behind schedule. The record overtime session left legislators stranded in Springfield, shortening the campaign season for the few who face heated re-election contests. Here's an update on some of the bills the governor signed this summer:

Hospital sites

Lawmakers discarded the scandal-tinged state panel that governs hospital construction projects after allegations that a long-time board member helped a Chicago businessman extort a Naperville hospital.

Gov. Rod Blagojevich suspended activities at the Illinois Health Facilities Planning Board in July after reports of a federal whistle-blower lawsuit surfaced. The legislature then voted to dissolve the nine-member board and replace it with a five-member panel that must adhere to stricter rules regarding conflicts of interest. Blagojevich signed the measure, but says he still might want to abolish the board altogether.

In the meantime, dozens of construction

projects are on hold. As of late August, the governor had not appointed a new board, which was scheduled to meet next on October 20.

Blagojevich was criticized this summer after campaign finance records showed that two of the now-deposed board members he appointed had contributed thousands of dollars to his campaign fund.

Education reforms

Beginning next year, Illinois teenagers must stay in school an extra year. A new state law will raise the legal dropout age from 16 to 17. The law also requires school districts to prescribe community service for habitually truant students.

Related bills signed by the governor make the Prairie State Achievement Exam a graduation requirement and force schools to keep better track of student transfers, an effort to record more accurate dropout statistics. The aptitude test is administered during the junior year. It includes the ACT, a college-entrance exam.

Fingerprints and federal background checks are now required of all new full-time school employees, with the exception of bus drivers. Before the new law, Illinois only required state background checks, leaving school districts susceptible to felons from other states. The more stringent FBI background checks are expected to cost \$30 to \$50 per applicant.

Organ donations

Illinois is now the first state in the nation to allow organ transplants between HIV-positive patients. Enacted in mid-July, the new law only allows for transplants when the recipient's life is in jeopardy. HIV-positive individuals also can donate organs posthumously. Illinois previously required that HIV-infected organs be destroyed.

Fat suits

Frivolous fast-food lawsuits are off the menu in 2005. Gov. Blagojevich signed the Commonsense Consumption Act, which, as of January 1, will protect restaurants and food manufacturers from being sued by customers who gain weight and suffer health problems.

Affordable housing

Forty-nine Chicago suburbs don't offer enough affordable housing to satisfy new

state standards, according to the Illinois Housing Development Authority. At least 10 percent of a municipality's housing must be affordable for working families under legislation signed last summer.

Using U.S. Census data, the state pegged an affordable monthly rent at \$750 and an affordable sale price at roughly \$125,000 for the Chicago area.

The 49 noncompliant communities — all in Cook and the collar counties — have until April 2005 to submit a remediation plan. Options include requiring that 15 percent of all new development be affordable. Officials say the new housing standards should allow teachers, police officers and other professionals of moderate income to live within the communities they serve.

Towns that do not adopt or adhere to a plan will not face penalties until 2009, when a newly created state panel can begin ruling on zoning complaints lodged by developers.

Building code

New commercial buildings and large-scale renovations will soon be held to the same environmentally friendly standards statewide. A new law enacted in August gives state officials one year to write an energy-efficient commercial building code. Proponents estimate the code will create annual energy savings of at least 6 percent, depending on a building's size and type.

Crime lab

The governor signed three bills aimed at reforming the state's sluggish DNA testing system. The first sets a two-year limit for analyzing approximately 800 sexual assault evidence kits housed in state crime labs. A one-year testing limit is imposed on new evidence.

A separate backlog is largely attributed to a 2002 law requiring the state to analyze DNA samples from convicted felons. In January, Gov. Blagojevich committed \$2.6 million to speed up the process, reducing that backlog from 1,113 to 176 samples.

The second measure signed by the governor requires the Illinois State Police to produce an annual report detailing any existing backlog.

The third new law creates a committee charged with improving testing practices.

Pat Guinane

Public services matter...

- Safeguarding kids
- Helping families
- Protecting public safety
- Keeping air and water clean
- Conserving our natural resources

...to all of us



**AFSCME
Council 31**

YES, THERE'S A STATE BUDGET

Protracted dispute produced positives for prison workers, state colleges and the business community

Fifty-four days and 17 special sessions after its scheduled May 31 adjournment date, the Illinois General Assembly approved a \$45.5 billion state budget for the fiscal year that began July 1. The new budget boosts K-12 education by \$364 million but cuts funding for most state agencies. No state facilities were closed. The record-breaking overtime session came after Gov. Rod Blagojevich and Senate President Emil Jones failed to get House Speaker Michael Madigan to support a spending plan that relied on \$300 million in business tax increases.

The impasse among the three Chicago Democrats gave bargaining power to Republican lawmakers, who used it to cut spending, throw out some accompanying business tax hikes, keep prisons open and reform state borrowing practices.

"I'm sure that sometime after the end of May he and his advisers came to the judgment that they were into a different ballgame and there was nowhere to go," said Madigan, who had aligned himself with Republican leaders, Rep. Tom Cross and Sen. Frank Watson. For his part, Blagojevich said he was pleased enough to declare victory. "I feel very good about this budget. It's a budget that does all the different things we asked for back in February, the key goals, the key priorities," Blagojevich said. "I'd much rather play 15 innings and win for the team than nine innings and lose."

One area of spending affected by the extra-innings was education. The new budget includes a \$154 increase in the state's minimum per-pupil spending level, not the \$250 hike the governor desired. The shift freed up \$95 million for transportation, special education and other grants suburban schools can tap regardless of local wealth.

Health care programs for the poor got a \$600 million boost that Blagojevich said will expand coverage to 56,000 more working adults and 20,000 more children from low-income families.

To help balance the ledger, lawmakers approved nearly \$1.3 billion in cuts, or about \$400 million more than the governor had originally sought. That means most agency budgets were trimmed by as much as 4 percent. Consequently, state employee unions fear hundreds of layoffs, but the administration hopes a severance package for middle management will pare the payroll by 3,000 jobs.

Republicans represent prison workers in Pontiac, St. Charles and Vandalia. Those facilities will remain open under the budget agreement, a reversal for Blagojevich, who had said the state should not operate old prisons just to provide jobs. Pledges not to close those prisons were among more than 50 agreements legislators forced Blagojevich to put in writing. "It brought a level of comfort to the participants of this negotiation," Madigan said of the unprecedented memorandums of agreement. Last year, the governor used his veto power to slash the budgets of the secretary of state and other elected officers just weeks after the leaders agreed on the budget.

This year, most of the state's new construction projects were put on hold, including those outlined in Blagojevich's Opportunity Returns program. Blagojevich began promising projects under the regional economic development plan last fall, several months before asking legislators to approve \$2 billion in bonds to fund it. The governor's four-year \$2.2 billion school construction program also is on hold until fall. Madigan says those efforts will need a new financing source, something Blagojevich did not attempt to identify. Madigan also sided with Republicans in forcing the governor to adopt reforms limiting the size and scope of state borrowing. The governor can no longer put off principal payments and must make level payments each year.

Excluding money reappropriated for ongoing construction projects, the FY05 budget is \$437 million smaller than the governor's original proposal, according to Madigan. The spending is financed, in part, by skimming \$260 million from dedicated funds. Another \$151 million comes from what Blagojevich calls corporate tax loopholes. Another \$35 million will be generated by new or increased fees, including a mandatory \$500 fine for first-time DUI convictions, late fees for vehicle registration stickers and a \$16 hike in state I.D. cards, which had been \$4.

Meanwhile, truckers who lost a sales tax exemption and were saddled with a 36 percent hike in registration fees will get relief under legislation the governor plans to sign. Smaller communities also will get a break on a wastewater fee imposed last year. And the surcharge employers pay on workers' compensation insurance was cut by one-third.

In addition, the budget agreement ends the administration's ability to siphon \$140 million a year from a state road fund financed by gasoline taxes and vehicle fees. That frees up money for road construction.

Legislative loose ends

- Lawmakers failed to agree on medical liability reform, an issue that tops the GOP agenda, especially in southern Illinois and the Metro East area, where officials say the cost of malpractice premiums are driving doctors out of practice or across state lines (see *Illinois Issues*, "Code Blue," April 2004, page 22).

- Blagojevich backed away from a plan to free up cash by crediting \$215 million already in the pension system toward this year's obligation. The administration argued the success of last year's pension bond sale made the move possible, but actuaries warned it would create an enormous future liability (see "Risky Math," May 2004, page 23).

The pension system will be short \$310 million this year while lawmakers discuss ways to shoulder the burden created by an early retirement offered in 2002. The program was supposed to cost \$70 million annually for 10 years. The cost ballooned to \$380 million a year. Blagojevich put up \$70 million now and wants to review options, including stretching out the 10-year repayment window.

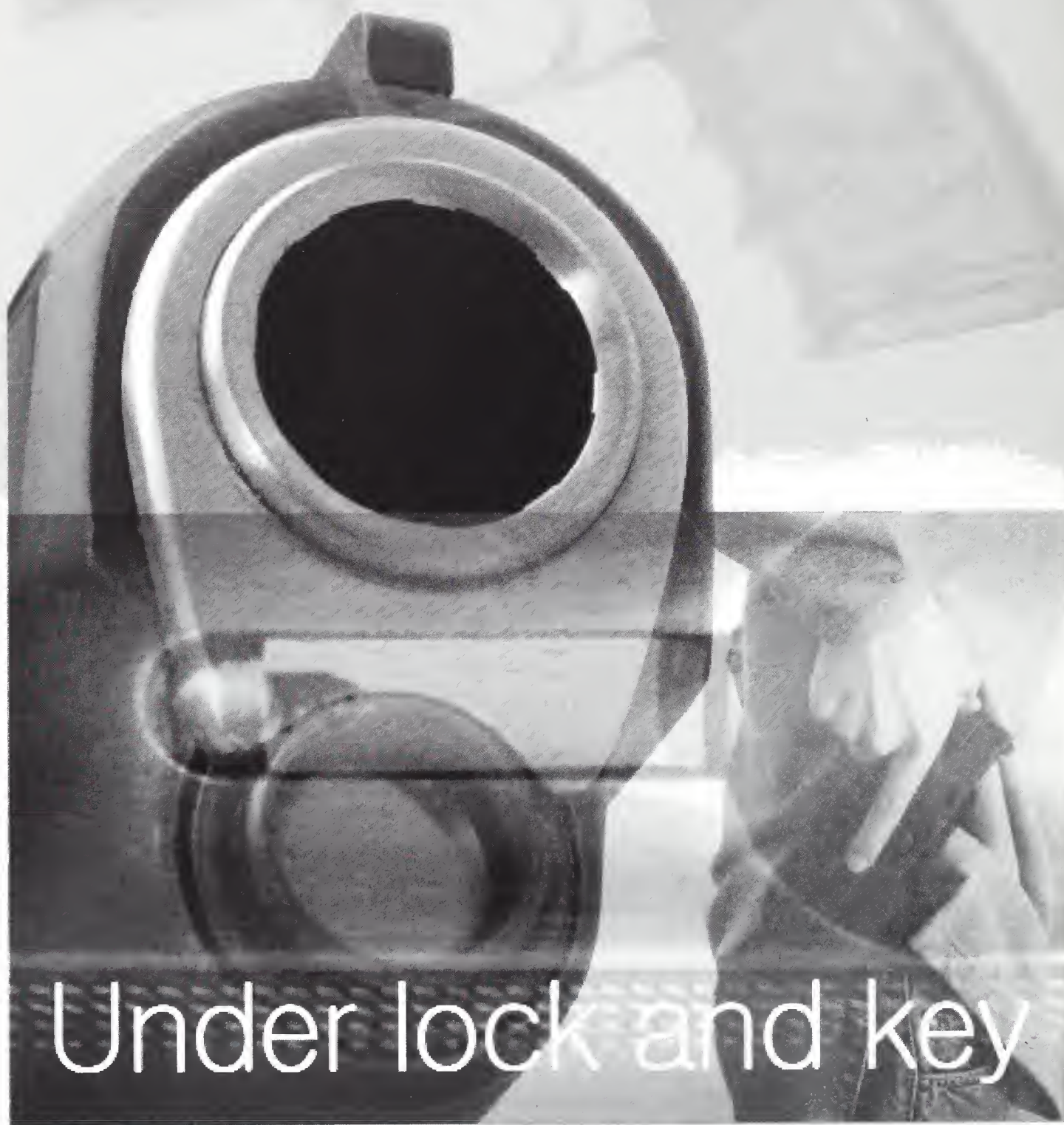
- Retired downstate teachers who rely on the state for health insurance received a temporary reprieve through a stopgap measure signed by Blagojevich.

It caps annual premium rate hikes at 9 percent or less while requiring working teachers, school districts and the state to pay more into the fund. In addition, the state will establish a commission to further study the program's financial future.

- Fourth-year teachers across Illinois now have another year to complete recertification requirements under legislation enacted in late June. The move came in response to a muddled and often frustrating renewal process the state will now streamline (see "Certified Mess," June 2004, page 20).

Pat Guinane

Pat Guinane



Under lock and key

Gun control is a loaded issue this campaign season
and many politicians are aiming to keep it out of reach

by Pat Guinane

Don't go near guns. This is sound advice for ambitious politicians eyeing state office.

Guns — specifically, who can own which kinds — pose a deadly dilemma for candidates craving the acceptance of voters from Cairo to Chicago. And unchecked candor can backfire at the polls. That's because rifles, handguns, even assault weapons, have come to symbolize different things in different parts of the state, a political reality that makes the debate over regulation of guns and their owners a geographic and ideological shootout that is nearly impossible to win at both ends of the state.

In the hands of gang members and drug dealers, guns made Chicago America's reigning murder capital. With 598 homicides in 2003, the nation's third-largest city earned the shameful crown for the second time in three years, edging out larger competitors New York and Los Angeles. Elsewhere in Illinois, guns embody a right bestowed upon Americans by the Second Amendment, an addition to the U.S. Constitution that came when the need for an armed militia was still a national concern.

This dichotomy is not lost on agile politicians.

Gun restrictions have long divided the nation's rural and urban populations. On the campaign trail this year, Republican President George W. Bush and his Democratic opponent, U.S. Sen. John Kerry, have made only cursory mention of the imminent end of the nation's ban on assault weapons. Bush says he favors renewal, but has not prodded Congress to beat the September 13 expiration of the federal ban on certain semiautomatic weapons. Kerry supports the ban and voted for renewal, but ignores the subject on the stump. With rural swing states West Virginia and Ohio in play, he's more likely to mention his prowess as a hunter. Democrats have shelved traditional support for gun control, a strategy forged in the heat of an intense electoral battle. The Democratic National Committee's 2004 platform, a 41-page prospectus, even promises to "protect Americans' Second Amendment right to own firearms."

The tripwire between the right to own a gun and the right to be safe from gun violence is visible in state campaigns, too, including Illinois' race for the U.S. Senate. In fact, because it is so diverse, Illinois is something of a bellwether on the subject.

Alan Keyes, an ultra-conservative Republican imported from Maryland last month, is not gun-shy, unlike homegrown candidates. Before he arrived, there was scant talk about gun laws. Keyes, a veteran of two unsuccessful U.S. Senate races in Maryland and a pair of failed presidential bids, calls himself a "strong supporter of the Second Amendment" and has already tried to force the issue on liberal opponent Barack Obama.

Yet, even Obama, a Chicago Democrat, already has had to grapple with the politics of guns. This spring, before grabbing headlines at his party's national convention in Boston, Obama uncharacteristically voted in favor of two gun-friendly measures in the state Senate. One, signed into law this summer, shields gun-wielding homeowners from lawsuits brought by intruders they have injured. The other would have allowed retired police officers to carry concealed weapons. That measure stalled, but in

The National Rifle Association claims 4 million members nationwide. Its local arm, the Illinois State Rifle Association, refuses to divulge membership numbers, simply saying it represents "1.5 million gun owners in the state, some of whom haven't paid their dues."

late July, President Bush signed similar federal legislation.

While Obama's gun-friendly votes appear to be aimed at broadening his statewide appeal, he did vote against a measure to lower the state's gun-permit age to 18 and allow the courts to look past local handgun bans in self-defense cases. Both those efforts were led by Obama's colleagues from downstate, where the National Rifle Association plays a prominent role in politics.

The group claims 4 million members nationwide. Its local arm, the Illinois State Rifle Association, refuses to divulge membership numbers, simply saying it represents "1.5 million gun owners in the state, some of whom haven't paid their dues." The group's membership, however large, helped funnel \$220,000 into the 2002 general election, mostly in the form of advertising and direct mailings targeting downstate House and Senate races.

"There are very few lobbying groups that are as feared as the NRA," says John Jackson, political science professor at Southern Illinois University in Carbondale. "They are extremely well-organized, extremely well-financed. They are extremely single-minded, they won't give you any quarter. They don't want to hear about cops getting killed on the streets. They want to hear about their Second Amendment rights and not much of anything else. If you're running outside suburban Chicago, you have to run scared of the gun-advocate lobby."

Or, better, run their proposals. State Sen. Gary Forby, a Benton Democrat, advanced legislation that would lower by three years the minimum age for obtaining a Firearm Owner's Identification Card without parental consent. Forby is vulnerable politically, as state Republicans have targeted his deep southern Illinois district for a major election battle this November.

State Rep. John Bradley, who was appointed to his downstate post, is in a similar position. The Marion Democrat sponsored self-defense legislation, which became known as the "Wilmette bill." It was inspired by a resident charged with violating the northern suburb's local handgun ban last winter after he shot and wounded an intruder attempting to burglarize his home for the second consecutive night. Despite overwhelming legislative support, Gov. Rod Blagojevich

vetoed the bill, saying municipalities should decide. Lawmakers will have to stick to their guns if they wish to override the governor's will.

While it was a Chicago suburb that prompted the legislation, the Wilmette bill proved popular some 300 miles south at the Williamson County Gun Club just outside Carterville. "I think Wilmette was totally off base," Bob Ramsey, the club's secretary and treasurer, said before a Sunday afternoon target-shooting competition. He was sitting in an easy-backed chair overlooking the range and its western border of tall pines. A century ago, the land encompassed the Dewmaine Coal Mine. Now, according to the club's Web site, it's the "home of the friendliest gun nuts in southern Illinois."

"We have people from all walks of life in the gun club — doctors, lawyers, teachers, everything," Carbondale dentist Mike Vancil says, underscoring the cultural role guns play in southern Illinois, a pastoral place that provides hunting grounds for many of the state's residents.

Vancil proudly displays his most recent purchase, a .50-caliber Smith & Wesson Magnum revolver, 15 inches of stainless steel, billed by the manufacturer as "a hunting handgun for any game animal walking."

Members of the Williamson County Gun Club speak authoritatively on current issues relevant to gun owners and are convinced of the merits behind the Wilmette bill and the push to lower the age eligibility for a state gun owner's permit.

Others, however, may have been influenced this year by some timely NRA rhetoric, says Thom Mannard, executive director of the Illinois Council Against Handgun Violence. Chicago and other Illinois cities adopted local handgun bans two decades ago, but Mannard says the Wilmette shooting gave the NRA a compelling story to mount an offensive aimed at undermining those laws. The war with Iraq, meanwhile, provided the wedge the NRA would use to push for a lower gun-permit age.

"They were smart in picking a time when we were at war, where the argument was, 'Hey, if an 18-year-old can go over and use an assault weapon in the Middle East, why shouldn't they be able to come home and buy an assault weapon without parental permission?'" Mannard says. "It

was an argument that resonated, certainly, with certain members of the General Assembly during a time of war.”

The governor, a Chicago Democrat, stopped that legislation dead in its tracks. He had promised to sign the bill, but reversed course a few days later, after Chicago officials leveled harsh criticism.

The reversal drew fire from both ends of the state and the political spectrum. Blagojevich subsequently offered a seemingly impossible compromise: He would lower the gun-permit age only if legislators agreed to a state ban on assault weapons. Such a ban was considered along with other gun-control measures in 2003, soon after Democrats captured control of the Executive Mansion and both chambers of the state legislature. Those measures proved unsuccessful, and legislative leaders instead allowed pro-gun bills to advance in the pre-election session of 2004.

“I think part [of the reason] was trying to solidify those downstate Democrats, knowing that the national ticket looks [at the issue] a little differently than they do,” says NRA lobbyist Todd Vandermyle, alluding to Forby and other Democratic legislators anticipating tough battles with GOP challengers. “They’re trying to separate themselves from the Chicago Democrats and let everybody know, ‘Hey, we’re not all the same.’”

Likewise, Obama’s votes on two measures favored by the pro-gun-rights lobby appear to reveal an effort to appeal to voters statewide.

It’s not a new phenomenon. In fact, Blagojevich is practically a case study in the effort to tiptoe past the gun issue. The governor’s office did not even respond to requests to be interviewed on the subject, though the next gubernatorial race isn’t until 2006.

His record to date has been mixed. Blagojevich was an ardent gun-control advocate when his constituent base was confined to Chicago’s North Side. As a state legislator, he proposed raising the price of a gun permit, known as a FOID card, from \$5 every five years to \$100 annually. Later, he championed countless other gun-control measures as a member of Congress. But when downstate votes became critical during his 2002 gubernatorial campaign, Blagojevich began assuring southern Illinoisans that their FOID card

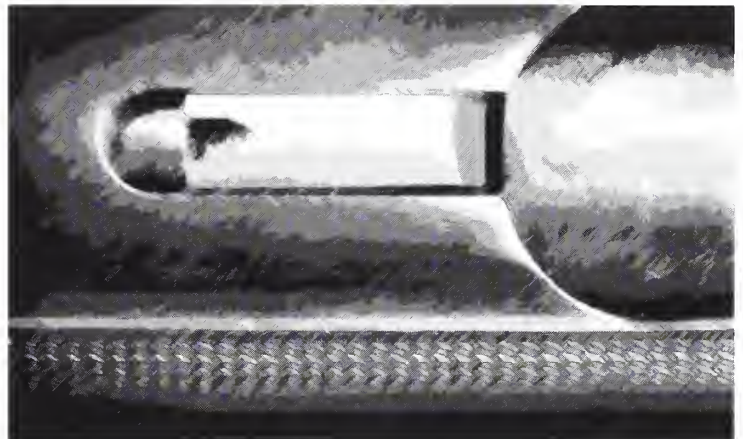
fees were safe from inflation. And, as governor, he has largely kept his once-fervent gun-control views out of the legislative process.

“There are a lot of issues out there, and it’s up to him to decide which initiatives take priority,” says Mike Robbins, an activist working to prevent gun violence.

If the hunters and sport shooters of southern Illinois represent one end of the spectrum, Robbins certainly symbolizes the other. A 53-year-old retired Chicago police officer, he doesn’t own a gun anymore, let alone carry one in public, as federal law now allows. Still, he brings three bullets with him everywhere he goes. One is lodged near his spine, the others are embedded in his left arm, which 10 years ago was such a mess of shattered bone that doctors considered amputation.

He was lying in a hospital bed on September 13, 1994, when former

Photographs by Oleg Volk of www.a-human-right.com. Design by Diana L.C. Nelson



Chicago's 2004 murder rate is running 25 percent below last year, but three of every four homicides this year has involved a firearm. Last year, 484 of the city's 598 murders were gun-related.

The assault weapons ban

The Violent Crime Control and Law Enforcement Act of 1994 made it a federal crime for a private citizen to own or transfer ownership of any semiautomatic assault weapon manufactured after September 13, 1994. The law banned several weapons by brand and model name, as well as copies or duplicates of those guns.

Aside from those banned models, citizens can purchase new semiautomatic rifles as long as they contain only one of the following accessories: a collapsible or telescopic stock; a pistol grip; a bayonet mount; or a threaded barrel designed to accept a grenade launcher or a flash suppressor, which reduces the flash emitted during night shooting.

In addition, new detachable ammunition magazines were limited to a capacity of 10 rounds.

The law, which placed similar restrictions on semiautomatic pistols and shotguns, does not apply to weapons or magazines manufactured prior to the ban.

Gun-rights advocates view the pending expiration of the ban (September 13, 2004) as a return of rights they were never willing to relinquish. They argue that use of the term "assault weapon" unfairly framed the argument in favor of further gun restrictions. To them, the ban addressed only optional equipment and not the power of a semiautomatic weapon. Some compare it to outlawing automobile accessories while ignoring engine size.

A semiautomatic weapon fires one round each time the trigger is depressed. Compressed gas expelled from one shot automatically loads the next bullet into the chamber.

A fully automatic weapon fires a succession of bullets while the trigger is depressed or until the ammunition is expended. Since 1934, the federal government has enforced strict limitations on private ownership of automatic weapons. States can further restrict the ownership of automatic weapons.

Pat Guinane

SOURCES: *United States Code, Title 18, Section 921; U.S. Bureau of Alcohol, Tobacco and Firearms*

President Bill Clinton signed the assault weapons ban. Three days earlier, a gang member had ambushed Robbins and his partner in a South Shore alley. Robbins managed to wrestle the handgun away from his face, but, as he did, the attacker unloaded the 9-millimeter, striking both officers.

Days later, doctors began counting the bullet holes, attempting to discern entrance and exit wounds. "They got to 12 and my eyes were wide open," Robbins recalls. "Then they got to 13 and they were still going, and I asked the doctors, 'How about, let's just stop at 13?'"

He was alive. So was his partner, who survived six gunshot wounds. Robbins' subsequent recovery from partial paralysis and entry into advocacy was slow and purposeful.

"I began a letter-writing campaign and that was part of my personal therapy," he says. "I had to try to regain some of the dexterity back in my arm so I wrote long-hand letters to state legislators and federal legislators, telling them over and over and over again my story and the dangers guns pose to law enforcement officers."

Robbins spoke at the 1996 Democratic National Convention in Chicago and later appeared at one of then-U.S. Rep. Blagojevich's press conferences, pushing for background checks at gun shows. He works with several groups, concentrating on keeping guns away from children.

"The guns are still out there," Robbins says, speaking from the Grand Crossing police station where he used to report for duty. The lakefront district on Chicago's South Side recorded 32 murders last year and homicides have kept pace in 2004.

That's a far cry from the southern Illinois county that once earned the nickname "Bloody Williamson." The warring gangs that sparred in Prohibition-era southern Illinois are long gone. And the county where union coal miners massacred 19 strikebreakers 82 years ago recorded just one murder in 2003, down from three the previous year.

At the other end of the state, Chicago's 2004 murder rate is running 25 percent below last year, but three of every four homicides this year has involved a firearm. Last year, 484 of the city's 598 murders were gun-related.

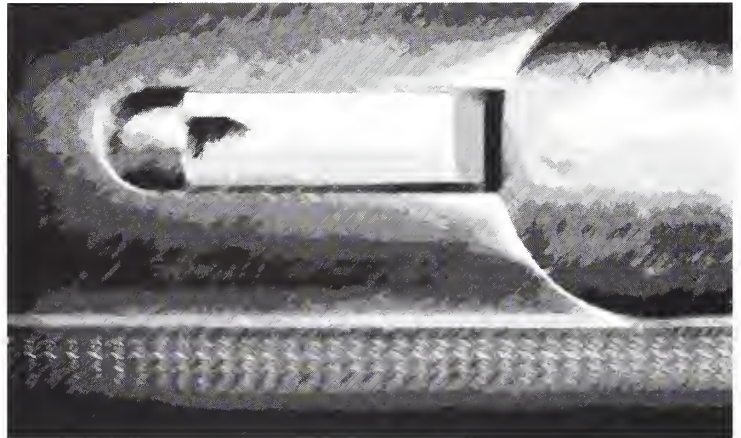
Staggering as those numbers may be, candidates seeking a statewide post

most often would rather skirt the issue, lest they be portrayed downstate as a Chicago-centric “gun grabber.”

Conservatives also have seen the gun debate blow up in their faces. Democrat Glenn Poshard voted against most gun-control measures during the 10 years he represented southern Illinois in Congress. He softened that stance during his 1998 run for governor, expressing support for the assault weapons ban. Republican George Ryan exploited his opponent’s conversion, and Poshard later said the switch weighed heavily in his defeat. Two years earlier, a gun-control gaffe on the campaign trail effectively buried Al Salvi, then the Republican nominee for U.S. Senate. Already considered a staunch conservative on the subject, Salvi crossed the line by publicly repeating an untrue rumor he heard from supporters. He said gun-control activist Jim Brady had sold machine guns before he was seriously injured in a 1981 assassination attempt on former President Ronald Reagan. Salvi soon apologized to Brady, a partially paralyzed Presidential Medal of Honor recipient, but the political damage was done.

The impact of that one hasty remark serves as a lesson for current Illinois candidates. They are likely to try to keep the gun debate under lock and key this election season. □

Photographs by Oleg Volk of www.a-human-right.com. Design by Diana L.C. Nelson



All eyes on

The debate over medical malpractice reform has drawn national attention to the Illinois Supreme Court's Fifth District race.

by Kevin

The November election for the Illinois Supreme Court's Fifth District will be about more than filling the high court's sole vacancy.

To the lawyers, doctors, insurance companies and representatives of other special interests who have lined up on either side, it is perhaps the most important battle yet in the ongoing war over tort, or civil law, reform — a war in which the front lines were drawn through the rural towns and rust-belt river communities of southern Illinois long before this Supreme Court campaign began.

At stake is the court district that takes in the whole southern quarter of the state, 37 counties from East St. Louis to Lawrenceville, reaching as far north as Taylorville. It's an area long ruled by "Republicrats" (socially conservative Democrats), but home to a civil litigation system so aggressively pro-plaintiff that it has become a national poster-child for tort-reform groups and corporate political action committees trying to rein in legal bills stemming from consumer complaints.

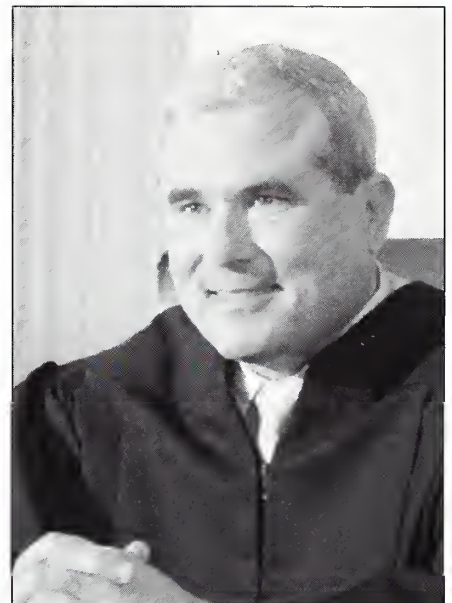
Incumbent Justice Philip Rarick, a Madison County Democrat who was appointed to the court in September 2002 to replace retiring Justice Moses Harrison, has declined to run for a full term this year. Seeking to replace him are Fifth District Appellate Court Justice Gordon Maag of Glen Carbon, a Democrat; and 20th Circuit Judge Lloyd Karmeier of Nashville, a Republican.

The outcome won't change partisan control of the court (it's currently made up of five Democrats and two Republicans). But as the first southern Illinois Supreme Court race in 12 years, and likely the last for any seat on the court until 2010, the campaign is getting heavy state and national attention — in part because it's being conducted in the shadow of intense and yet-unresolved statewide debate over tort reform.

Though neither candidate has said how he would rule if lawsuit caps or other tort-reform issues came before him (a likelihood for the next court), it's clear that special interests on both sides view this as a race about the future of the state's civil litigation system.

Organizations, including the U.S. Chamber of Commerce, have declared the Illinois race a beachhead in its nationwide attempt to limit lawsuit awards. Trial lawyers both in and outside of Illinois have fired back with massive Illinois Democratic Party campaign contributions that some have acknowledged are designed specifically to help fend off changes in the state's tort system.

"While the traditional tort-reform debate has been in the legislature, it has now turned to the Supreme Court," says Mary Schaafsma, judicial reform project director for the Illinois Campaign for Political Reform, which tracks trends in campaign finance and special-interest influence. "It could be that [both sides] have decided it may be easier to



THE DEMOCRAT

Gordon Maag

Fifth District Appellate Justice

PREVIOUS POSITIONS:

Third Circuit Associate Judge and private practice attorney

AGE: 53

HOMETOWN: Glen Carbon
Native of East St. Louis

the Fifth

malpractice reforms
Illinois' lone Supreme Court race

Dermott



THE REPUBLICAN

Lloyd Karmeier

20th Circuit Judge

PREVIOUS POSITIONS:

Former law partner with one term as
Washington County State's Attorney

AGE: 64

HOMETOWN: Nashville

Native of Okawville

convince seven people [on the court] of a position than the whole legislature," she says.

"What's tracking here is what we've seen in other states, especially Ohio and Michigan," she adds, noting that the U.S. Chamber of Commerce has publicly vowed to spend tens of millions of dollars on state court races in Illinois and other key states with an eye toward making the courts more business-friendly. And the Illinois chamber took the unprecedented step of endorsing a judicial candidate: Karmeier.

"The other side has responded through more traditional channels," she says, citing \$500,000 given by a handful of trial attorneys to the Illinois Democratic Party earlier this year.

Further stoking widespread interest in the race, the seat represents the state's southern-most district and is anchored by the Metro East-St. Louis region and Madison County — long pegged by medical and business groups as one of the nation's most hostile jurisdictions for corporate and medical malpractice lawsuit defendants.

"With Madison County as the backdrop for this, it provides both sides an opportunity to highlight the issue," says Schaafsma.

The medical and insurance lobbies, backed by state Republicans, claim that out-of-control lawsuit awards are driving up the premiums doctors pay on malpractice insurance, causing doctors

to leave the state. They want caps on noneconomic damages (also called "pain-and-suffering") and other reforms.

Plaintiffs' attorneys, generally backed by state Democrats, have acknowledged that malpractice insurance premiums are too high and that some areas of the state are facing doctor shortages. But they blame the insurance companies, alleging they are "gouging" doctors, using a false public perception of runaway litigation as justification to increase rates.

Democrats at the end of the spring legislative session lined up behind a still-pending reform package that would better screen out frivolous lawsuits and protect doctors' personal assets — but wouldn't impose the caps that doctors and their Republican allies say are needed. Negotiations over the issue are expected to continue this fall.

Any reform law that eventually comes out of that process is almost certain to end up being challenged before the state Supreme Court, putting a heavy premium on the outcome of the current court race.

In addition, the Fifth District Supreme Court justice will generally be allowed by the court to fill vacancies that arise within the district's circuit courts, including Madison County. That has some pro-business interests viewing the race as a chance to break what they say is a vicious cycle of plaintiffs' attorneys becoming judges and then appointing their fellow plaintiffs' attorneys to the bench.

"There is a very cozy relationship

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long before this Supreme
Court campaign began.*

between the plaintiffs' bar, the Democratic Party and the judiciary" in Madison County, says Ed Murnane, president of the Illinois Civil Justice League, a pro-business group that has spent years trying to impose limits on lawsuit awards and now is heavily backing the Karmeier campaign. Maag, Murnane says, is "part of that system" as a former Madison County attorney and, later, an associate circuit judge.

"This race is not just about Lloyd Karmeier and Gordon Maag," Murnane says. "It's also about the direction and the future of the judiciary in southern Illinois."

Maag argues that the cozier relationship is between Karmeier and state and national business interests that are the largest contributors to his campaign — the very interests that would stand to benefit most if lawsuit caps were imposed.

Records show Karmeier raised \$180,863 in monetary donations during the first six months of 2004, with much of that in lump-sum amounts of \$5,000 or more from corporate, medical and insurance interests from all over the country. Maag was lagging with \$52,905 in monetary donations during that time, with no individual cash contribution exceeding the \$2,000 limit Maag has unilaterally imposed on his donors.

"I have an opponent who has spent the last 10 months speaking about large contributions, but the only large contributions we've seen have been from his contributors," says Maag. "He's got tens of thousands of dollars from insurance companies from all over America."

Maag was born in 1951 in East St. Louis, long part of the Democratic core of the Metro East region. He graduated at the top of his class at the University of Mississippi in 1979. He worked for the Metro East law firm of Lakin & Herndon. He was appointed in 1989 as an associate judge in the Third Circuit, which includes Madison County. He was appointed to the Fifth District Appellate Court in 1992, then elected to a 10-year term in 1994. He is married and has two adult sons.

In the campaign, Maag stresses his experience, including his work as an attorney arguing appeals in front of the Supreme Court.

"A candidate for the Illinois Supreme Court ought at a minimum to have handled as an attorney a case on appeal before the Supreme Court and before the Appellate Court," Maag argues in his campaign position statement. "Further, a candidate ought at a minimum to have participated as a judge in an appellate court at some time."

Karmeier was born in Okawville, part of the more rural southern Illinois region where the hold of the Democratic Party is less complete than in the Metro East.

He received his law degree from the University of Illinois at Urbana-Champaign in 1964. In 1968, he became a partner in the southern Illinois firm of Hohlt, House, DeMoss & Johnson and served one term as state's attorney in Washington County from 1968 to 1972. He was elected as a circuit judge in the 20th Circuit in 1986, where he has remained. Karmeier and his wife have two children and five grandchildren.

"I believe that the reputation I developed during my 22 years of general practice of law in a small community, in my 17 years as a trial judge and in my conservative to moderate political beliefs will serve me well as a justice of the Illinois Supreme Court," Karmeier states on his campaign Web site.

Karmeier and Maag both have backed the notion of "tort reform," but only in the most general terms. As sitting judges, Maag and Karmeier both have shied from taking detailed positions on lawsuit caps or other specific issues in the tort-reform debate. Supreme Court rules bar judicial candidates from making "statements that commit or appear to commit the candidate with respect to cases, controversies, or issues within cases that are likely to come before the court."

Their campaign materials, however, hint at their stances.

"Recently, calls have come at the national, state, and local levels for limits on damages in personal injury and medical malpractice lawsuits," Maag wrote in his campaign position statement. "On occasion, juries and some judges in bench trials award wildly excessive judgments. The converse is also true. On occasion, woefully inadequate awards are made which do not even cover an injured party's medical bills.

"States such as California found that

'caps' on damages alone did not solve the problem. Insurance reform was also required. Since the mid-1980s, Missouri has had caps on noneconomic damages and yet the same problems persist. I support comprehensive legislative action to resolve the matter."

Karmeier, on his campaign Web site, doesn't specifically back the notion of caps. But he does take indirect jabs at Maag for the support he receives from the trial lawyers.

"Obviously, lawyers and judges care [about the outcome of the election]," he states. "And out of the lawyers who are interested, plaintiffs' lawyers, especially in Madison County, those involved in personal injury litigation, have been the most interested, especially if you look at where the money comes from in support of appellate and supreme court candidates.

"I think I am typical of most people from Southern Illinois when it comes to our system of justice. We want it to be fair. We want it to be impartial. We want a level playing field," Karmeier wrote. "We don't want any hints or suggestions that our system of justice is being used or influenced by powerful politicians or by lawyers or by any special interest group."

Nonetheless, campaign finance records covering the first half of 2004 show deep, direct involvement in both campaigns from the special interests that are driving the tort reform debate.

Most of Maag's itemized cash donations during that six-month period came from attorneys — generally lawyers from southern Illinois, but some from Missouri, Chicago and, in one case, Colorado.

One firm alone, Carey & Danis, a plaintiff's firm with offices in St. Louis and the Metro East, gave Maag \$10,000 in one day. The firm stayed within Maag's self-imposed \$2,000 limit by making five donations of \$2,000 each, through three of the firm's partners and two of their spouses.

Partner Joseph Danis says he and other members of the firm made the donations because of Maag's reputation for competence, and not specifically because they believed he would be less likely than Karmeier to support caps on lawsuit awards. "Certainly, I didn't have that in mind when I wrote the check," says Danis. But, he adds: "The concept of [not] pre-empting peoples' ability

to bring a claim . . . when they've been injured is near and dear to us."

Perhaps more telling than the monetary contributions are the "in-kind" contributions both campaigns have received. In-kind donations are free work conducted for the campaigns, then assigned a monetary value on state campaign finance reports. Such donations often are viewed as a barometer of special-interest involvement in campaigns because they entail more than just writing checks.

Records show Maag's \$31,532 in "in-kind" contributions — which don't fall under his self-imposed \$2,000 donation limit — include more than \$20,000 worth of media work, consulting, staffing and other support from private vendors paid and coordinated through the state Democratic Party in Springfield.

Records also show that the state Democratic Party during that period received a series of unusual \$100,000 lump-sum donations from law firms. Three of those big-donor firms routinely do business in the Metro East area — including Carey & Danis, which made its \$100,000 donation to the party at about the same time it was donating directly to Maag's campaign.

"[Maag's] largest contributor is the Democratic Party of Illinois, which has received \$500,000 from just five people, three of them in the Madison County area," says Karmeier spokesman Steve Tomaszewski. "You can connect the dots and say that shows there's big money in the Democratic Party for this race."

Danis, the law firm's partner, says the \$100,000 donation to the Democratic Party wasn't earmarked to assist Maag's campaign. But he says it was a direct response to what he calls "misleading ads" from the "anti-trial lawyer" lobby that have been aired on radio this year — ads by the business and medical lobbies seeking to whip up public support for lawsuit caps at the height of the tort-reform debate in Springfield.

"I was very upset when I heard the advertisements," says Danis. "I think they're mischaracterizing the legal system in southern Illinois and mischaracterizing lawyers. We gave the money with the hope that some of it would be used toward educating people who have been misled."

Karmeier received even more direct

special-interest help than Maag did during that six-month period, records show.

Most of the \$85,800 in "in-kind" donations to Karmeier's campaign were provided by professional vendors through JUSTPAC, the Arlington Heights-based political action committee of the pro-business Illinois Civil Justice League. Records show the organization paid for radio ad production, receptions, printing and postage and media consulting for the Karmeier campaign throughout the first half of the year.

Karmeier also raised about four times the amount that Maag did in cash donations. While many of those donations came in the form of small contributions from many individuals, they include major donations from corporate interests — including a single \$10,000 donation from the Continental Casualty Co. of Chicago.

Tomaszewski, Karmeier's spokesman, argues that Karmeier's broad support makes him as qualified as Maag for the position, though he hasn't been on an appellate court. "Judge Karmeier has a varied background," Tomaszewski says. "Our support is coming from Republicans and Democrats, a broad group of grassroots supporters in southern Illinois."

Tomaszewski also defends, generally, the notion of choosing a candidate based on where he might be expected to come down on the tort-reform issue once he's on the bench. "In any election, individual voters have to decide if this guy is in step with their own philosophy," he says. "You can look at the background of the candidate and you can say, 'This person is closer to our position.'"

For his part, Maag expresses frustration that campaign fundraising has been such a high-profile issue in the campaign that, he says, the more fundamental topic of judicial qualifications has been neglected.

"There's more to it than that [money]. That isn't what it's all about," says Maag. "I'm the only candidate in this race who has ever argued an appeal [before the Illinois Supreme Court or state or U.S. appellate courts]. What [voters] need to know is who he is, and who I am." □

Kevin McDermott is a Springfield, Illinois-based reporter for the St. Louis Post-Dispatch.

BACK TO THE FUTURE

The push to replace old community schools with new buildings in more remote locales is outdated policy. The latest trend is renovation

by Royce A. Yeater

Schools are like paperweights. They anchor our communities, providing a common place and experience that hold us in a cohesive society. Built close to home for easy access, an older and historic school often defines a neighborhood by

its architectural stature, if not by its name and attendance area.

At the secondary level, schools represent the whole of a small community, centering discussion in the coffee shops and pubs on the activities of our youth.

Older and historic schools, integrated into the communities they serve, help to nurture and develop our youth, intellectually and socially.

But when public policies encourage the abandonment and demolition of older

Photograph by BauerLatoza Studio, courtesy of the National Trust for Historic Places



Pullman Elementary School (1910), Chicago



Normal High School demolition (July 16, 2003)

and historic schools — and motivate the consolidation of neighborhood schools into large campuses at the edges of towns — we disengage schools from their communities, physically and culturally.

School building standards and design practices over the past 40 years have led us down that path. The suburban values and youth-oriented culture of the 1960s favored the new and shiny over the traditional and proven, building a prejudice against all things old. In the early 1970s, those values were codified by the guidelines of the Council of Educational Facility Planners, International, an association of school planners formed to advance school design.

But the baby boomers have grown up and have learned to appreciate historic neighborhoods and landmarks. We have adapted all kinds of old buildings to modern office and residential use. Other things have changed, too. The environmental movement has tempered the

throw-away ethic of the 1960s. We now struggle to pass on traditional family values once taken for granted.

Still, we continue to abandon and demolish older and historic schools that have long anchored neighborhoods and replace them with characterless mega-schools in cornfields.

Why? Because there remains a prejudice against older schools, a prejudice that asserts that older schools are unresponsive to contemporary education. The theory is that education is about the future and our children should not be burdened with our past.

In so many other aspects of our community life, we honor and value our built heritage. But when school districts face the decision of whether to renovate existing older schools or abandon them to build new schools, they tend to see only the frustrations they have faced with older buildings, the result of years of under-funded and deferred maintenance.

Myths abound that older schools cannot be economically upgraded to serve modern education, meet current codes, or support technology. So the old schools are more often discarded without another thought.

The decision to proceed with new construction triggers siting requirements that force school districts to seek huge acreage, which assures that replacement schools cannot be built in their former neighborhoods. Further, operating on the educational theory that bigger is better, planners consolidate school sites.

To find a site large enough to handle the project, they locate in places remote from the traditional community center, forcing parents to drive or the district to bus children for all activities.

Once their schools are lost, older neighborhoods tend to decline and property values begin to reflect a lower level of desirability. New development clusters near the new school, as parents seek to live close to the school and

As a nation, and here in Illinois, we should continue to invest in high quality school facilities as a way to support the education our children need and deserve. But that need not occur at the cost of our older and historic schools.



The century-old Lawrence Education Center in Springfield, which has a reconstructed library that Frank Lloyd Wright designed as he was working on the Dana-Thomas house, was renovated for use for alternative and adult education. The original windows were restored to Lawrence in the early 1990s.

commercial development follows. The consequence is school-inspired sprawl.

In spite of this now-well-understood pattern, prejudice toward older schools remains imbedded in public policies and administrative procedures in most states, including Illinois. Here, that prejudice is expressed in state law that prioritizes state funding for the “replacement of aging schools” rather than “renovation.” Illinois school funding law also prioritizes the creation of new classrooms.

Together, these policies comprise a most unfriendly environment for older and historic schools in which communities are encouraged to build new and larger ones in more remote settings.

Yet, such policies ultimately lead unnecessarily to higher costs for the taxpaying public, first in the school itself, then in the infrastructure of site development, and then again in the cost of transportation and public services. Many leaders in many states are beginning to see the folly of this pattern.

Clearly, higher transportation costs drain school budgets. More sprawl means more road miles and more time shuttling children who once walked to school and played in its neighborhood playground. Vehicular-oriented schools contribute to chronic childhood obesity.

Remote schools mean parental involvement is more difficult, often leading to performance problems that must be offset by expensive tutoring programs and community liaisons.

The decline of traditional neighborhoods means school districts are left with a lower tax base. And communities often are forced to adopt urban revitalization programs to prevent further decline. It’s a vicious and expensive cycle.

The National Trust for Historic Preservation’s Historic Neighborhood School Initiative has tackled this issue head-on, beginning with the publication of *Why Johnny Can’t Walk to School: Historic Neighborhood Schools in the Age of Sprawl*. That document attracted proponents of smart growth, school reform advocates encouraging smaller schools, rural school champions and activists who are trying to re-establish schools as centers of community.

With these partners, we have reached out to educators and school planners, such as the National School Boards Association, the Council of Educational Facility Planners and the American Institute of Architects. This collaborative approach is working. The educational facilities planning council has recently released a new planning guide more

reflective of current thinking and is working with us and others to publish a *Guide to School Renovation*.

This new series will make obsolete the many state standards based on the council’s now-outdated guidelines.

To help state governments rethink school facility policies, we at the National Trust for Historic Preservation have developed model policy recommendations, and state-by-state tracking of effective school facility policies, all of which are available online. In Maryland, New Jersey, South Carolina, Michigan, Colorado and a growing list of other states, school facilities policies are being reformulated to erase prejudices against, and encourage the use of, existing schools.

As a nation, and here in Illinois, we should continue to invest in high quality school facilities as a way to support the education our children need and deserve. But that need not occur at the cost of our older and historic schools, which can serve future generations through renovation, and sometimes careful expansion.

There are three big reasons renovation makes sense. First, it is environmentally responsible to use energy and materials already consumed to serve the future instead of the landfill. Second, where

older and historic schools have been renovated by architects and contractors experienced in such work, the cost has been well below the cost of building from scratch. Third, because renovation is more labor intensive, it generates five to nine more local jobs per million dollars than new construction.

Older and historic schools are generally small schools, with nurturing characteristics that reinforce self-esteem and encourage individual development. They are walkable, close to students and their families in neighborhoods where they have long served as centers of community. Their presence, and certainly their renovation, reinforces real estate values in neighborhoods and avoids the disinvestment cycle that erodes neighborhoods and their tax bases.

In spite of a deteriorated appearance on the surface, older and historic schools are usually structurally sound because they

were built to last, and they have sufficient space to be easily updated with new mechanical, electrical and communications systems.

Renovated older and historic schools are an extraordinary value, offering high quality environments with large windows, wood floors, quality finishes and often handsome architecture and integrated artwork not affordable in new construction. All that and more is available at no more cost — and often far less cost — than new construction.

In addition, older and historic schools offer a cultural continuum that binds the generations together through a common experience of place — a benefit hard to quantify but of real value in our fractured society.

Preservationists recognize that all old buildings cannot be saved. All we ask for is a level playing field that allows older and historic schools to compete.

Illinois should prioritize state school funding for renovation and consider replacement only in those few instances where renovation is not feasible. At the very least, renovation should be an equal alternative. Now, with current discussion of a larger reorganization of educational governance and funding, it is time for Illinois, like other states across the nation, to take a fresh look at its school facilities policies and practices. □

Royce A. Yeater is the Midwest director of the National Trust for Historic Preservation. That organization supports preservation activities in eight states from offices in Chicago.

The National Trust for Historic Preservation provides access to school preservation information at www.national-trust.org/issues/schools/index.

For additional information:

National Clearinghouse for Educational Facilities
www.edfacilities.org.

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EDUCATION FINANCE 101

Do we need to change the way schools are funded?

Yes.

State spending is less than necessary to provide an adequate education

By Ralph Martire

There are two distinct views about funding Illinois schools. Polls indicate most Illinoisans decry the inequity and inadequacy of the current system. They contend an overhaul is needed to ensure that every child receives a quality education. There's a vocal minority, however, who claim the problem isn't funding so much as wasteful state and local spending. This anti-reform faction maintains that schools don't need more resources. They believe all problems would vanish if the system were more accountable and if spending were less wasteful.

So, who's right? The data indicates spending is not the problem. Illinois ranks 41st in the country in total state spending and 49th in the amount of state resources used to fund schools. Compared to the rest of the country, then,

Illinois' spending is more penurious than profligate. As for waste, the main charge is that inflated administrative costs siphon too many state and local dollars. But the state spends just 6 percent of its total budget on administration. State and local governments combined spend even less, only 2.5 percent, of all education funding on administration. The rest goes to teachers, textbooks and buildings, and health, janitorial, safety and social service staff. When it comes to accountability, Illinois actually excels, receiving the laudable grade of "A-" in *Education Week's* most recent 50-state survey.

Since wasteful spending isn't the issue, what about the concerns raised by funding reform advocates? Illinois, one of the wealthiest states in the country, faces a significant teacher shortage, increasing class sizes and many inadequate facilities. Almost 80 percent of all school districts are deficit spending. School funding overall is so inequitable that Illinois has the distinction of being the only state to receive the failing grade of "F" for school funding fairness in *Education Week's* survey.

In 2002, the governor's Education Funding Advisory Board concluded that the statewide per pupil spending level was significantly less than was necessary

to provide an adequate education. Today, that level remains more than \$1,000 below the minimum recommended by the advisory board.

Face it, Illinois has a school funding problem primarily because the state doesn't pay its fair share of education costs. This forces schools to rely heavily on local property taxes. That's where the inequity comes in. Tying school funding to local rather than state-based revenue means the quality of public education Illinois provides a child is determined by the property wealth of the community in which that child lives.

The reason Illinois doesn't pay its fair share of education costs is simple: It can't. That's because the state's fiscal system is designed to fail. In fact, it is so flawed that it doesn't satisfy any of the four principles economists have identified for funding government services in a capitalist economy. Those principles are that taxes be fair, responsive to economic growth, stable during poor economic cycles and efficient. Income tax responds to economic growth. That's because, according to Census data, virtually all economic growth in the country goes to high-income families, while low- and moderate-income folks realize a decline in their incomes over time. The

sales tax can stabilize revenue during down economic cycles, if it is “broad-based” — that is, the tax covers most of the transactions in the consumer economy. This is stabilizing because consumer spending accounts for two-thirds of the nation’s economy, and remains relatively constant, even during slumps. A tax system is efficient if it does not have a major impact on important private economic decisions, like where someone locates a business or buys a home. Overreliance on property taxes to fund public services is highly inefficient, because property taxes are local taxes. Hence the rates vary from community to community, thereby inefficiently distorting private economic behavior.

While economists look for these principles — fairness, responsiveness, stability and efficiency — they have to leave Illinois to find any of them. Not surprisingly, this doesn’t work. Adjusting *solely* for inflation and population growth, over time the state’s fiscal system won’t produce enough revenue to continue funding current service levels, much less generate enough to provide more for schools. And no, this “structural deficit” won’t disappear as the economy expands. It actually worsens because the state’s fiscal system doesn’t respond to the modern economy. The reality is that, without tax reform, Illinois cannot fairly, adequately or sustainably fund schools.

There is good news. Bipartisan legislation has been introduced in the General Assembly (House Bill 750, Senate Amendments 1 and 2) that would deliver sustainable school funding and tax reform. Yes, the solution involves increasing the state income tax from 3 percent to 5 percent and expanding the state’s sales tax base to include consumer services such as lawn care and health club fees. But House Bill 750 also contains meaningful tax relief, including more than \$2.4 billion in property tax reductions and a \$900 million refundable credit for low- and middle-income families. This combination would generate enough revenue to fully fund the Education Funding Advisory Board’s recommended per pupil spending, and eliminate the state’s structural deficit while making the state tax system more responsive to the modern economy and more stable during economic slumps.

If passed, House Bill 750 would bring meaningful reform to Illinois by simply comporting with the principles economists established for funding public services. It would: improve school funding fairness by bringing the bottom up, not dragging the top down; shift the primary burden for school funding from local districts to the state; reduce the tax burden of businesses by providing substantial property tax relief; and eliminate the state’s structural deficit, all without increasing the tax burden for the bottom 60 percent of income earners.

It would be sustainable over time, while making Illinois’ fiscal system more sound and fairer. Oh, and it would maintain Illinois’ status as an overall low-tax-burden state, ranking in the bottom third nationally.

All that’s left now is generating the necessary political will. □

Ralph Martire is executive director of the Center for Tax and Budget Accountability, a bipartisan fiscal policy think tank. He can be reached at rmartire@ctbaonline.org.

Answer:

No.

We need to slow the growth in education spending first

By Jeff Mays

During the past 12 years there have been at least three significant proposals to change the way Illinois schools are funded by swapping local revenue sources for state revenue sources. These proposals have focused on Illinois’ relative over-dependence on the local property tax and Illinois’ relative “capacity” to assume a greater level of funding by the state. And they have promised to provide lasting property tax relief and increased school funding.

But, given changes in recent years in the growth rates of various sources of revenue, particularly at the state level, does this type of proposal still make

sense for school districts that require reliable, adequate and sustainable funding sources? The data suggests that it does not.

From fiscal year 1993 to fiscal year 2003, total school revenues increased from \$10.416 billion to \$18.968 billion. During this period, the rate of school revenue growth from all sources ranged from a high of 9.36 percent in 1999 to a low of 1.93 percent in 2003. The average growth rate was 6.3 percent. Of all sources of school revenue, the property tax remained the most reliable and sustainable. It stayed within the tightest range of growth and exhibited no negative growth.

Over the past four years, the average annual growth rate for all revenue sources is down. Much of this is due to the roll-out of property tax caps, first allowed by law in 1991. Nevertheless, the rate of growth in the property tax has increased in each of the past four years, unlike any of the other school revenue sources. From 1982 to 2003, the rate of state support for schools increased more than the local rate in 10 of the 22 years. In five years during this period, state sources actually declined. Even more telling as to the volatility of state funding, state sources grew robustly — at an average annual rate of 11.2 percent — from 1997 to 2001. Then in 2003, state sources declined 4.1 percent.

Pivotal to the current education funding debate is the proposal to increase the state income tax and the state sales tax and use the proceeds to increase state school support and to abate local school property taxes. However, these particular state sources of revenue manifest much lower growth rates and higher volatility than state education spending generally. According to the governor’s budget book, after three straight years of decline, a paltry 2.48 percent increase in personal income tax receipts is projected for fiscal year 2005. Corporate income tax receipts are projected to decline more than 10 percent in the coming year, after declining a net 11.2 percent over the previous three years. In the past five years, sales tax receipts have declined twice and are only projected to grow 2.46 percent in the coming year.

In short, these state sources of revenue are far less reliable, sustainable and

Education revenue sources

	1993	2003	1993-2003 Growth Rates			2000-2003 Growth Rates		
	(\$=Billions)		High	Average	Low	High	Average	Low
Local Sources*	\$ 5,773.6	\$ 9,729.7	9.9%	5.8%	4.2%	5.5%	4.8%	4.3%
CPPRT**	304.5	402.4	16.9	3.2	-20.1	11.0	-5.2	-20.1
State Sources	3,475.4	6,883.7	16.6	6.7	-4.1	12.4	5.2	-4.1
Federal Sources	862.9	1,952.1	23.0	9.4	-13.1	20.3	8.9	-13.1
Total Revenue	10,416.4	18,967.9	9.4	6.3	1.9	7.5	4.9	1.9

* Property tax revenues

** Corporate Personal Property Replacement Tax—a statewide income tax rate of 2.5% is applied against all corporate income.

SOURCE: 2003 ISBE Annual Report, Tables 2 and 2.1

It should be noted that property tax caps were implemented beginning in 1991, which limited the growth of that source.

Education spending relative to state revenue

	FY1993	FY2003	1993-2003 Growth Range			2000-2005 Growth Range		
	(\$=Billions)		High	Average	Low	High	Average	Low
<u>EDUCATION SPENDING</u>								
Total State Sources*	\$ 3,475	\$ 6,884	16.6%	6.7%	-4.1%	12.4%	5.2%	-4.1%
<u>STATE REVENUES**</u>								
Individual Income	4,665	7,341	11.53	4.71	-6.57	6.37	.23	-6.57
Corporate Income	631	738	19.65	3.15	-22.49	19.38	-4.57	-22.49
Sales Taxes	4,094	6,593	11.55	4.74	-1.14	11.55	3.75	-1.14

* THROUGH 2003—SOURCE: 2003 ISBE Annual Report

** SOURCE: Gov. Blagojevich's Proposed FY2005 Budget Book

adequate than the property tax they would replace. Few could argue that schools would be better off today if they were more dependent on state sources of revenue and less dependent on local revenue sources — particularly over the past four years, and particularly if those state sources of revenue were sales and income taxes.

Further, school spending growth exceeds revenue growth, and has for quite some time. This is the structural imbalance proponents for funding change often cite. This growth, largely determined by local school boards, is driven by the cost of labor. From 1997 to 2002, the average annual growth in teachers' salaries was 3.5 percent and the average annual growth in administrators' salaries was 5.1 percent. At the same time, the rate of growth of the

number of teachers grew twice as fast as the rate of growth of student enrollment and the rate of growth of the number of administrators grew five times as fast. Beyond base labor costs, specialized costs such as employee health care, pensions, insurance and transportation have grown in excess of 10 percent per year.

An infusion of state dollars for education would not slow the overall growth in education spending. The three highest years of increased state support for education — FY86, FY90 and FY99 — did not lead to reductions in other sources of support. They simply fueled the three highest years of overall spending growth.

Here's something else to consider: What happens when state revenues decline? Would a continuing appropria-

tion for property tax relief be suspended (as has been done with state pension funding); would the legislature reduce the amount of education funding; or would the legislature increase general taxes?

The bottom line is that state sources of revenue grow more slowly and are more volatile than local sources of revenue. And school spending exceeds all revenue sources, including the property tax. Thus, the disconnect between revenues and spending must be diminished and far greater spending flexibility must be built into school district spending plans for any revenue swap to succeed over the long haul. □

Jeff Mays is president of the Illinois Business Roundtable and a member of the Illinois Issues advisory board. This essay represents his own opinion.

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Three decades of public affairs journalism



This coming January, Illinois Issues will enter its fourth decade of publication. And throughout the next year we'll celebrate that achievement by exploring the challenges Illinoisans are likely to face over the next three decades. In the final months of this year, though, we'll look back at some of the policy concerns, political events and personalities that caught our attention, and possibly yours, over the past 30 years. The magazine put out its first issue in January 1975 with the stated mission of offering in-depth reporting and analysis on state government and politics. A lot has happened since then. So our

choices on what to highlight are necessarily arbitrary. Political power shifted; the demographics of the state changed; people stepped onto the public stage, then off; and new concerns required action, including the rise of the global economy, the rapid changes in computer technology and the increasing need for security against terror. What is striking, though, is just how many issues recurred and evolved through most of those 30 years: school funding, for instance; the cost of health care; energy resources; economic development; transportation; crime. This month, we highlight four such issues. The Editors

Welfare reform

In 1996, Congress moved the nation across a momentous line, ending 60 years of social policy and leaving in its place a slogan: welfare-to-work. Under the federal law, families are no longer entitled to income support. Instead, everyone is required to find work. Nobody will get help for more than a total of five years. Illinois adopted those guidelines, but efforts at such reforms began in this state as early as the mid-1980s. The following excerpt from the magazine examines the debate two years before the federal changes.

Three years ago Karen Dare decided she'd had it just sitting at home collecting a welfare check. Twenty-four years old and a high school dropout, Dare decided to do something with her life. She enrolled in a high school equivalency class at John A. Logan Community College, situated between Marion and Carbondale in deep southern Illinois. Her prospects may have seemed bleak, even to her. She had already flunked the GED exam four times. And her own confidence was weak: "I was scared every morning just to get up," she recalls.

But watching her twin boys, then age seven, and her four-year-old daughter growing up emboldened her sense of purpose. "Mainly, I wanted to do this for my kids to be proud of me."

So it will be with special pride that Karen Dare will cross the stage at the John A. Logan graduation ceremonies next month to get her associate's degree. Come fall, Dare expects to trade her welfare check for a paycheck when her apprenticeship as a dental assistant comes to an end and she takes on a full-time job.

"She's our success story," beams Jane Minton, the coordinator of John A. Logan's welfare-to-work programs. Minton is like an all-purpose mother hen who watches over her brood of students. Karen Dare's success story shows that with gumption, grit, lots of help, some luck and people who believe in them, people can go from welfare to work.

There is a way out of welfare. Dare's success story contains many lessons for welfare reformers who, as President Clinton has vowed, are trying "to end welfare as we know it." Chief among those lessons is that education and

training can work — indeed, are vital — to make a person marketable in an economy that has become punishing for the uneducated and unskilled. It also demonstrates the need for a variety of financial supports, such as child care and transportation, that help welfare recipients survive. It shows the importance of "human supports" as well: the encouragement, the nurturing, and the assistance of someone who can untangle red tape, find child care, locate a doctor willing to accept a Medicaid card, type an English paper on deadline; someone who can help pick them up and cheer them on.

Dare's story and those of others show that the journey out of welfare is not a giant leap, but a series of small steps. One sure step is education — from basic academic skills like reading and arithmetic to basic job survival skills like punctuality and following directions. Another useful step often is employment: part-time jobs or low-pay entry-level positions that give welfare recipients a feel for the world of work and an appreciation for the importance of education and advanced training. Another crucial step is job training — teaching a vocation such as

computer programming or a professional career like nursing. But those who have made it off welfare, and those who have helped them, agree that there is another, seminal, and somewhat intangible step that makes the whole journey possible — the ability to say, with conviction and confidence: I can make it. It is this “over-the-hump” step that begins the journey and so often interrupts it.

Mainly, the successes of people like Karen Dare show that the path from welfare to work is usually a long one, filled with detours and roadblocks, triumphs and setbacks, steps forward and back and forward again, one difficult step at a time.

Donald Sevensen, April 1994

Tax caps

In 1991, Illinois began setting limits on local property tax extensions. Voters demanded them in the five counties that ring Chicago, where, in the four years prior to the cap, property taxes grew an average of 13.5 percent a year. The cap limits the tax burden local governments such as school districts can impose each year without voter approval to 5 percent or the annual rate of inflation, whichever is lower. But, as this excerpt shows, the tax revolt began earlier in Illinois — and even earlier in California, which set property tax limits through the voter-approved Proposition 13.

In the turbulent wake of Proposition 13, the newly elected 81st General Assembly will be confronted with many tax cutting proposals. One of the most prominent will be the Taxpayers’ Rights Amendment proposed by the Illinois Tax Limitation Committee. The committee, headed by Rep. Donald Totten (R., Hoffman Estates), listed 80 members of the current 80th General Assembly as supporters of the amendment — 66 Republicans and 14 Democrats.

In broad terms the proposed Taxpayers’ Rights Amendment would do two things. First, it would set a limit on the amount of revenue the state of Illinois can take in during the fiscal year and second, it would limit the amount of property taxes which can be levied by non-home rule units and school districts.

Charles Minert, December 1978

Capital punishment

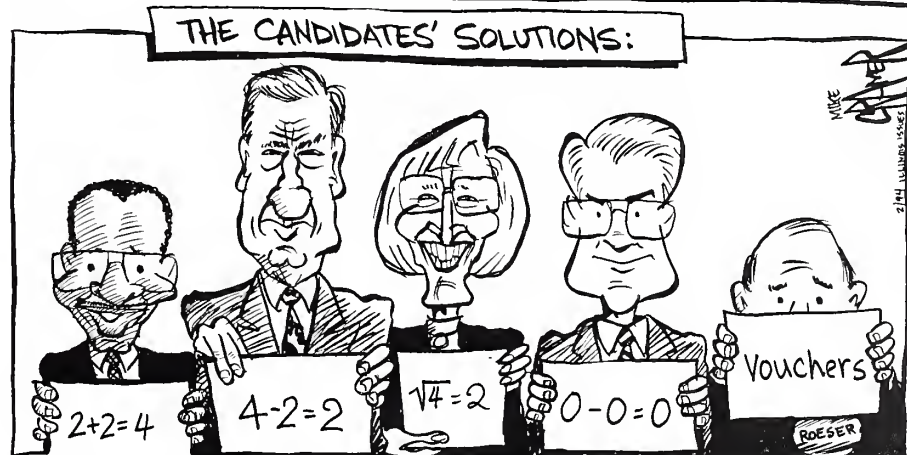
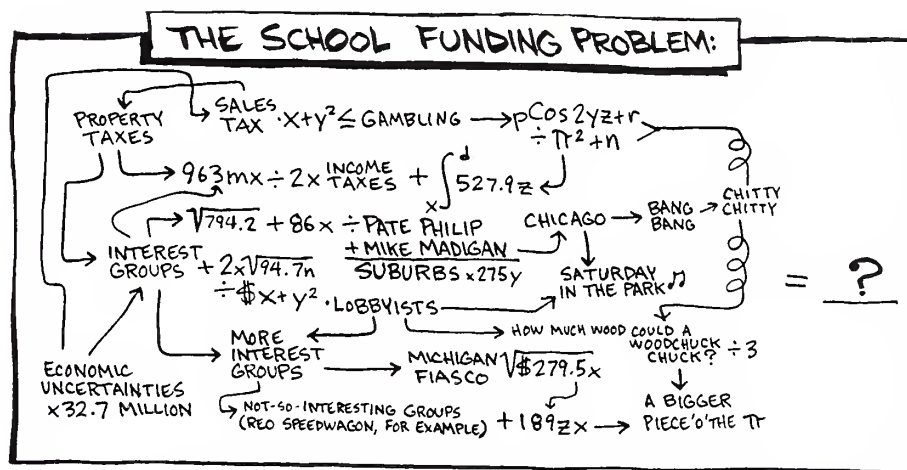
In 1977, the Illinois General Assembly reinstated the death penalty. Over the years, lawmakers made modifications. They replaced the electric chair with lethal injection and added to the factors that, together with murder, can make a defendant eligible for death. Beginning in 1990, the state executed 12 murderers. But, responding to wrongful convictions, then-Gov. George Ryan called a halt and asked for reforms that could reduce error. Before leaving office, he cleared Death Row. This excerpt appeared weeks before passage of the 1977 law.

Few issues stir public passions and individual soul-searching as much as capital punishment. Legislative debate and public hearings sometimes become forums for scriptural exhortations, libertarian denunciations, legal analyses and a variety of emotional outbursts.

There is no doubt, however, that the

public, like its lawmakers, is firmly in favor of the death penalty as the best way to deal with murderers. Yet, vocal opponents claim murder by the state is no less perverse or senseless than murder by individuals. With last summer’s U.S. Supreme Court ruling (*Gregg v. Georgia*) upholding capital punishment within certain strict guidelines, Illinois, like the rest of the states, is rushing to revive the death penalty. The sensationally publicized case of Utah killer Gary Gilmore, illustrating that state’s reluctance to carry out the ruling it imposed, brought the issue to the forefront of public attention. Yet, there are profound and persistent questions in the capital punishment debate that have gone unanswered for centuries as civilized societies have sought ways to protect themselves and punish criminals. Against this backdrop, it is only a matter of time before an Illinois governor signs the death penalty into law.

Gary Delsohn, March 1977



Though this cartoon by Mike Cramer appeared in the magazine’s February 1994 edition, it continues to capture the complexity of the school funding issue, along with the diversity of political approaches.

Education's revolving door

Several top Illinois educators have been seeking other opportunities.

The *Washington Post* reported that Illinois Superintendent of Schools **Robert Schiller** was an unsuccessful finalist for the head position in the District of Columbia school system.

Schiller's \$225,000 contract runs to July 2005, and Karen Craven, State Board of Education spokeswoman, says Schiller intends to fulfill his commitment.

But legislation approved in May gives the governor authority to name seven new members to the board, and most observers expect the governor to ask for a new superintendent when he announces those appointments. Schiller disagreed with Gov. Rod Blagojevich about major structural changes the governor wanted in the management of elementary and secondary education.

Should the new board replace Schiller, it will have to buy out the remaining year on his contract.

Meanwhile, **Daniel LaVista** resigned his position as executive director of the Illinois Board of Higher Education. He took a similar post with the state of Virginia. **Thomas Lamont**, a Springfield attorney and vice chairman of the board, was named acting executive director.

Shifts are under way as well at universities. **Vaughn Vandegrift** is the new chancellor of the Edwardsville campus of Southern Illinois University. He replaces **David Werner**, who retired July 1. The University of Illinois at Urbana-Champaign is in the midst of a nationwide search for a new president. It will then begin a search for a new chancellor for that campus. President **James Stukel** announced his retirement and **Nancy Cantor** took over the presidency of Syracuse University in New York. The chancellor of the Springfield campus, **Richard Ringeisen**, interviewed for the top job at New Mexico State University, but announced his intention to stay in Illinois.

With level funding this year, after years of budget cuts, perhaps school administrators are putting their resumes back in the drawer.

At last, Republicans pick a Senate candidate

Not long after Illinois' Democratic U.S. Senate candidate wowed the crowd at his party's national convention, state GOP leaders turned to a man who bore demographic resemblance to **Barack Obama**.

In **Alan Keyes**, the GOP has an articulate Ivy-league trained African-American — all qualities mirrored by Obama.

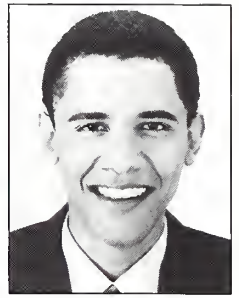
What the GOP didn't have with Keyes was an Illinois resident. The conservative radio and television talk show host has rented an apartment in the state. He was required to be a resident by Election Day.

Keyes has twice sought and lost a U.S. Senate seat representing Maryland. He is a former National Security Council staff member, a former ambassador to the United Nations Economic and Social Council during the Reagan presidency and was interim president of Alabama A&M University in 1991. He describes himself as a "genuine conservative." Keyes wrote his doctoral dissertation at Harvard on constitutional theory. He wants to outlaw abortion and favors replacing the income tax with a national sales tax.

Republicans had to find a candidate when GOP primary winner **Jack Ryan** stepped down after embarrassing details in his divorce records became public.



Alan Keyes



Barack Obama

Trading Lipinskis

The state Democratic slating committee all but ushered **Daniel Lipinski** into the congressional seat his father, 22-year veteran William, opted not to seek for what would have been a 12th term.

The powerful senior Lipinski, ranking member of the committee rewriting the federal highway spending plan, announced last month that he would not run for re-election. The Southwest Side Chicagoan, who has managed to funnel millions of federal dollars into the city for mass transit and highway construction projects, made it clear he favored the nomination of his son, who is now on leave from his post as a political science professor at the University of Tennessee at Knoxville.

A few days after the announcement, the slating committee voted unanimously to replace one Lipinski on the 3rd District ballot for another. On November 2, Daniel Lipinski will face little-known Republican Ryan Chlada of Cicero.

Lipinski, who has a doctorate degree in political science from Duke University, has studied the workings of Congress. The University of Michigan Press this year is publishing his book, *Congressional Communication: Content and Consequences*.

The young Lipinski promised that he would continue to fight to bring transportation dollars to Illinois. But if the federal transportation rewrite isn't wrapped up before his father leaves office in January, the state could lose out.

Honors

The watchdog group founded by **Paul Simon** presented its first award in his name to a pair of his fellow reformers who also happen to be *Illinois Issues* board members: **Abner Mikva** and **Dawn Clark Netsch**. The Illinois Campaign for Political Reform created the Paul Simon Public Service Award to honor the memory of the late U.S. senator and longtime state lawmaker. "This is the first time ICPR has given an award in Paul Simon's name, and it is fitting that the first to be honored are two of Paul's dearest friends and strongest allies in his many efforts to make government more open and honest," the organization's director, **Cynthia Canary**, said in a prepared statement.

The award recognizes former congressman and chief appellate judge Mikva and former state senator and comptroller Netsch "for their longtime commitment to more open and accountable government, campaign finance reform and improved ethical behavior in government."

Managing the media

No longer called public information officers, most of the state workers who answered questions about their agencies have been given new titles, relocated, and in some instances replaced. Now called communication managers, the majority of these individuals are new to the front lines of public interaction for state government and some are new to the agencies they represent.

Projecting a potential savings of \$1 million, Gov. Rod Blagojevich reorganized the agency spokespersons into a new Office of Communication and Information under the director of Central Management Services. The 26 communication managers work out of two offices: the Stratton Building in Springfield and the Thompson Center in Chicago.

"Public information officer really doesn't describe the position as part of this consolidation," says **Marybeth Johnson**, who heads the new office. "[It] did prior to the consolidation, which means they did FOIAs [Freedom of Information Act requests], marketing, internal communications. The public information officer title did a lot of different things." Johnson estimates that 75 percent of a public information officer's time was spent on those types of duties and the rest in answering reporters' questions. Now communication officers will handle media requests only.

"It's communicating to the public through the media," says Johnson.

Some familiar voices will still answer the phones in Springfield. **Dave Blanchette** will continue to handle calls for Historic Preservation, as will **Mike Claffey** for Public Aid, **Tom Schafer** and **Tammy Leonard** for Public Health (though Leonard also will field calls for Public Aid) and **Matt Vanover** for Transportation. **Patti Thompson** will continue as spokeswoman for Emergency Management and also will speak for the State Fire Marshall. **Chris Herbert** is spokeswoman for Agriculture, where **Jeff Squibb** also fields calls. **H.W. Devlin** is in marketing at the State Fairgrounds. **Tom Green** was a department spokesman before consolidation of agencies into the Department of Human Services. He now takes over as spokesman there. **Tracey Scruggs** will focus on outreach programs. **Dede Short** takes the official title for Corrections. She has been handling calls since **Sergio Molina** was promoted to executive assistant to the director. **Maggie Carson**, who is communication manager for the state Environmental Protection Agency, backed up former spokesman **Dennis McMurray**, who continues in a marketing position. Also speaking for that department is **Anne Rowan**, who did similar work for the U.S. EPA. She is a new hire and will work out of the Chicago office.

Other new voices include **Joe Bauer**, spokesman for the Department of Natural Resources. The former WAND-TV weatherman takes over duties long held by **Carol Knowles**, who was laid off. **Tim Schweizer**, who also fielded questions for the department, will continue at Natural Resources with other responsibilities. Another former television personality, **Melaney Arnold**, will cover calls for the Capital Development Board.

David Meadvin is the Springfield-based spokesman for the Department of Commerce and Economic Opportunity. **Andrew Ross** and **Brendan Moore** will handle media inquiries in Chicago for that department. **Laura Hunter** is no longer with the agency. **Nicole Grady** moved to the Chicago office to share duties with newcomer **Willy Medina** for Central Management Services. **Clare Thorpe**, who was spokeswoman for the former Office of Banks and Real Estate, will continue in that role for the new consolidated Department of Financial and Professional Regulation.

Mike Klemens, longtime spokesman for the Department of Revenue, continues as manager of policy and communications. **Geraldine Conrad** will handle media calls out of the Chicago office for both the departments of Revenue and Employment Security. New hires **Barnaby Dinges** and **Julie Summers** will work for the Department of Transportation in the Chicago office. New voices **Stephanie Gadlin** for the Department of Human Services and **Anjali Julka** for the departments of Labor and Human Rights also are in Chicago. **Patrick Reilly** with the Housing Development Authority moves to the communication manager position. **Januari Smith** moves from Senate President **Emil Jones'** staff to handle media calls for the Department on Aging and for Veterans' Affairs. **Nikki Smith** will continue with the Department on Aging doing other work.

O BITS

John Corbally

The first president of the John D. and Catherine T. MacArthur Foundation, who had once led the University of Illinois and Syracuse University, died July 23. He was 79.

Corbally, then president of the U of I, took on leadership of the philanthropic organization shortly after its inception in 1979 and served there a decade. He was instrumental in crafting early programs. The foundation, which awards the widely recognized \$500,000 "genius grants," provides financial assistance in areas that include public broadcasting, documentary filmmaking, human rights, mental health, education and conservation.

At the U of I, Corbally is credited with launching the first private capital campaign, which raised more than \$130 million from private donors, bolstering the agricultural and veterinary medicine colleges and laying the groundwork for the University of Illinois at Chicago.

"He was skilled, witty, unassuming and approachable, both as a man and president," said U of I President James Stukel in a prepared statement.

Forest Etheredge

The former suburban state senator, who was instrumental in establishing the Illinois Mathematics and Science Academy, died June 26. He was 74.

The Republican was a major backer of the proposal to create an elite residential high school, specializing in math, science and technology. The school opened in Aurora, his hometown.

Etheredge, who served in the Senate from 1981-93, was an advocate for education. He had a doctoral degree in education from Loyola University. He was president of McHenry County College and Waubesa Community College. In a prepared statement from the academy, Etheredge was described as "a trailblazer in unproven territory, a champion of bold ideas and a crusader of educational excellence."



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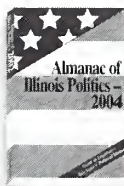
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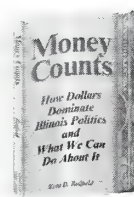
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Charles N. Wheeler III



Republican fortunes have taken a real nosedive

by Charles N. Wheeler III

As Labor Day approaches, and with it the traditional beginning of the fall campaign season, Illinois Republicans might be tempted to replace the party's longtime elephant symbol with Joe Btfsplk, the Li'l Abner character always drawn with a dark cloud over his head.

Already on the wane, GOP fortunes took a real nosedive after Jack Ryan, the party's nominee for U.S. Senate, bowed out following disclosure of embarrassing allegations of sexual high jinks contained in child custody records.

The party became a national laughingstock as it scrambled to find someone — anyone — to replace Ryan. Big-name vote-getters like former Govs. Jim Thompson and Jim Edgar weren't interested; neither were a host of lesser party luminaries. Even former Bears coach Mike Ditka said no to party overtures.

GOP poobahs engendered another round of derision when they finally went out of state to find a candidate, tapping conservative commentator Alan Keyes, a Maryland resident, to face Democratic state Sen. Barack Obama.

Add to the Ryan fiasco the widespread belief that President George W. Bush is a decided underdog to Democrat John Kerry in the race for Illinois' 21 electoral votes and the pending federal trial of former Gov. George Ryan on racketeering, tax fraud and other criminal charges, and one can understand why cartoonist Al Capp's human jinx would be an appropriate mascot for the state's

While Democrats managed to dodge that bullet, storm clouds are gathering on the horizon for the party, with potential silver linings for Republicans.

embattled Republicans.

Thoughtful Democrats ought not take too much pleasure from the GOP's plight, however, though they might welcome it as a timely distraction from their own travails. Indeed, the party escaped by only a few weeks having to deal with similar embarrassing revelations about its Senate nominee.

Heading into March, commodities trader Blair Hull appeared to hold a commanding lead for the Democratic U.S. Senate nomination after pouring some \$30 million of his own funds into the race. But his campaign imploded after divorce records were made public containing accusations of spousal abuse, and Obama surged to the nomination. Had the messy details of Hull's divorce not surfaced until after the primary, Democrats, too, might have been forced to find a replacement.

While Democrats managed to dodge that bullet, storm clouds are gathering on the horizon for the party, with potential silver linings for Republicans. Recall that the gloomy days for the GOP began with the unfolding of the licenses-for-bribes scandal involving George Ryan's tenure as secretary of state. Voter revulsion in November 2002 helped Gov. Rod Blagojevich end a 26-year Republican hold on the Executive Mansion and his party mates win four of the other five statewide offices and majorities in both chambers of the Illinois General Assembly.

But the same federal investigators pressing charges against the former governor have ongoing inquiries into allegations that Democratic leaders used legislative staff for political work. In addition, at least two federal probes are under way into possible wrongdoing by Blagojevich Administration appointees, one involving hospital siting decisions and another dealing with contract awards for state employee group health insurance. Should any of this federal scrutiny lead to indictments, Democrats stand to lose the electoral advantage they enjoyed in 2002 from the Ryan scandals.

Perhaps most threatening to Democrats' long-range hopes, however, is the budget debacle they orchestrated this spring. Despite controlling the governorship and both legislative chambers, Democrats could not agree by the May 31 deadline on a spending plan for the fiscal year that started July 1. Instead, their intramural

squabbling that resulted in the longest overtime session in modern history (54 days) allowed Republicans to infuse the budget with GOP priorities and left party leaders embroiled in verbal warfare.

Blagojevich professed to be pleased with the outcome of the lengthy struggle, in which the governor and Senate President Emil Jones, a Chicago Democrat, were allied against Democratic House Speaker Michael Madigan of Chicago and the Republican leaders, Sen. Frank Watson of Greenville and Rep. Tom Cross of Oswego.

Indeed, the \$45.5 billion blueprint for operations spending included more for education and health care, the governor's top priorities. But the increases were not as large as Blagojevich proposed, and the details reflected GOP interests.

In education, for example, the budget boosts the state's per-pupil spending guarantee by \$154, not the \$250 hike the governor wanted for the program targeted at poorer school districts. But the more modest hike freed additional dollars for specific programs such as special education and transportation, which

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benefit wealthier school districts, many in Republican areas.

Similarly, funding for higher education was not cut as Blagojevich requested, nor were three prisons and a mental health center closed, largely because most of the targeted facilities, like most state universities, are represented by Republicans, whose votes were needed to pass the overtime budget.

The governor fared no better on a host of other budget issues. The business tax hikes he wanted were scaled back, and lawmakers spared such programs as tourism promotion and open land preservation from his axe. Legislators reined

in the administration's authority to raid earmarked funds for general operating expenses and imposed tighter controls on its ability to sell bonds. Lawmakers also voted themselves a greater oversight role in facility closing, agency rule-making and contracting decisions.

Most significantly, however, Madigan and GOP leaders required Blagojevich to sign more than four dozen "memorandums of understanding," unprecedented statements spelling out certain details of the budget agreement. While the governor's aides tried to downplay the documents, in fact they are tangible evidence of the deep distrust between Madigan and Blagojevich.

In short, the state chairman of the Democratic Party has concluded that the Democratic governor cannot be trusted to keep his commitments, that his word is no good. That certainly can't bode well for Democrats — and that prospect should provide a break in the clouds for Republicans. □

Charles N. Wheeler III is director of the Public Affairs Reporting program at the University of Illinois at Springfield.

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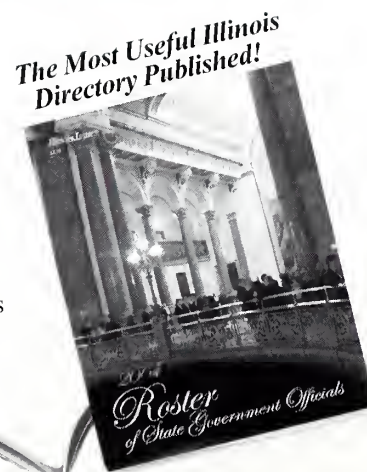
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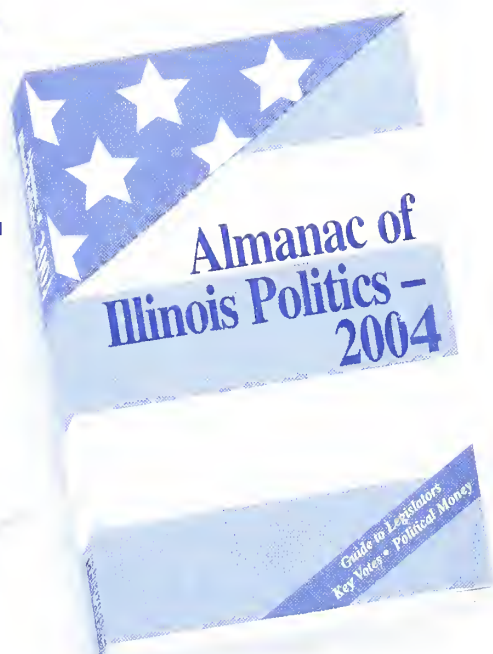
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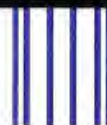
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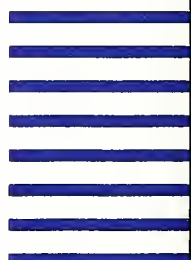
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